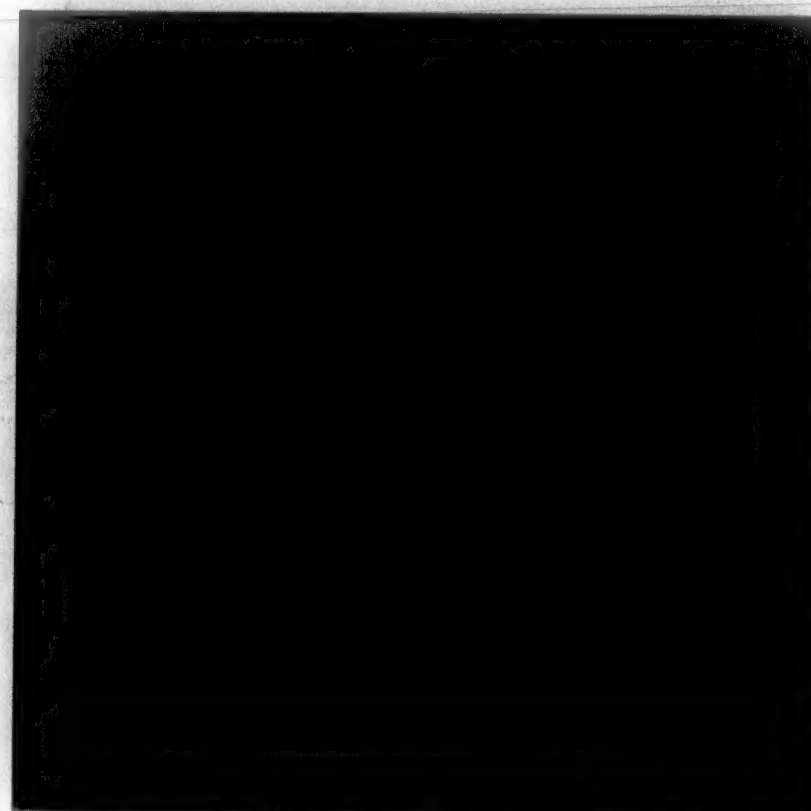
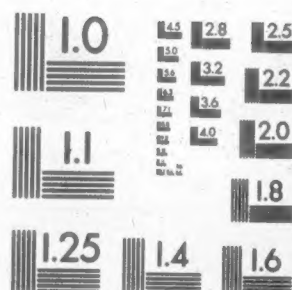
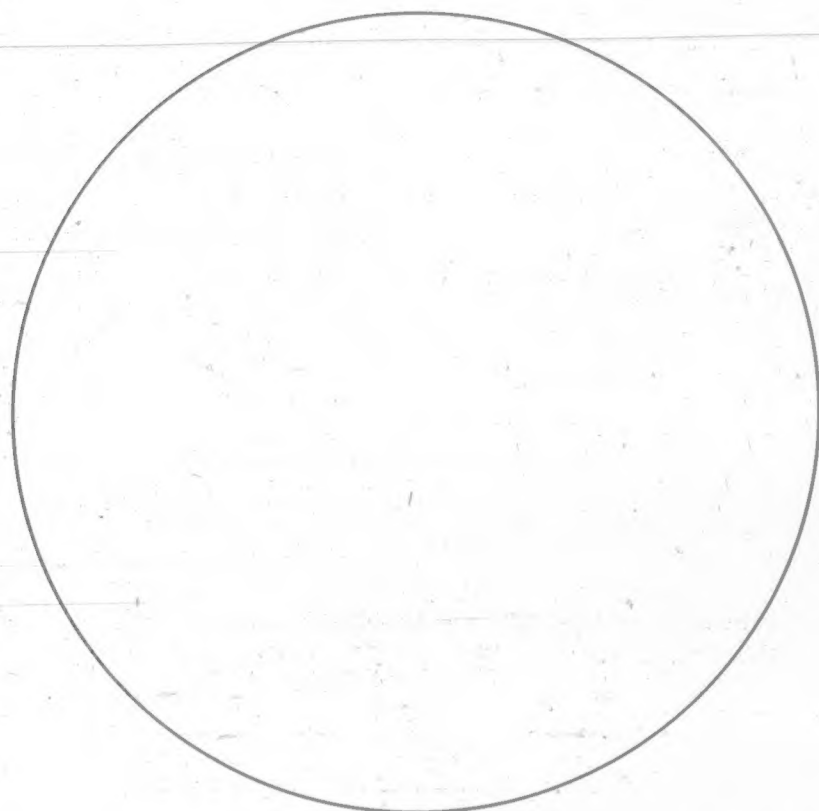
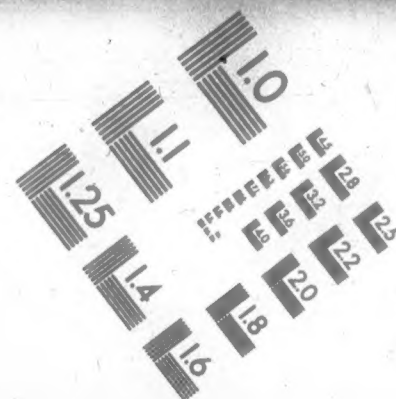
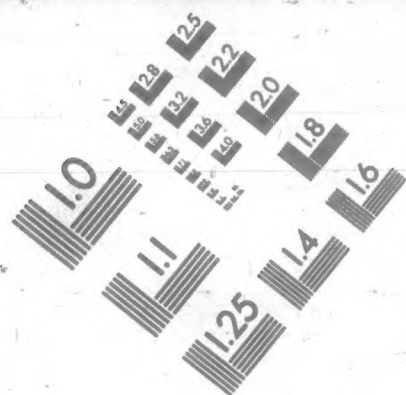
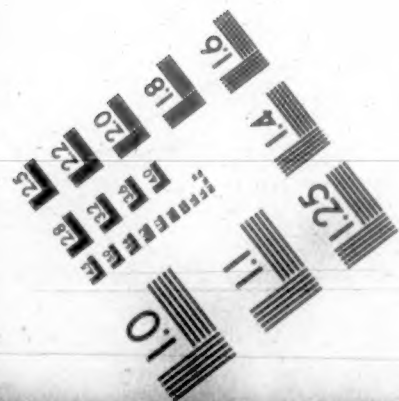
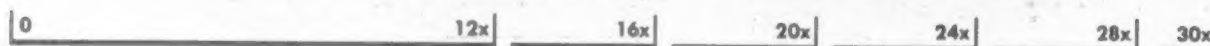




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APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES
1898 - 1914

ROLL 262

CHEROKEE BY BLOOD 10850 - 10910

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
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WASHINGTON: 1983

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George W. Wilson

Trans. from D1131

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 17 1900



ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
MULDROW, I. T., AUGUST 15th 1900.

IN THE MATTER OF THE APPLICATION OF George W. Wilson and children,
for enrollment as citizens of the Cherokee Nation, and he being
sworn by Commissioner, T. B. Needles, testified as follows:

- Q What is your name? A George W. Wilson.
Q What is your age? A About thirty two.
Q What is your Postoffice? A Muldrow.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q What degree of blood do you claim? A I reckon about an eighth.
Q What district do you live in? A Sequoyah.
Q How long have you lived there? A About three or four years.
Q Where did you live prior to that time? A In Canadian District.
Q How long have you lived continuously in the Cherokee Nation?
A About twelve or thirteen years, or fourteen years.
Q Does your name appear on the authenticated roll of 1899?
A Yes sir., I understand it does.
Q Where did you live before? A Scullyville County.
Q Arkansas? A No sir; Choctaw Nation.
Q Where were you born? A At old Billy Wilson's.
Q In what Nation? A Cherokee Nation.
Q For whom do you apply for enrollment? A Myself and two children.
Q What is your father's name? A Doe; G. W. Wilson.
Q Is he living? A No sir.
Q Was he a Cherokee citizen by blood? A Yes sir.
Q When did he die? A About eleven years ago, I reckon.
Q What is your mother's name? A Margaret Wilson.
Q Is she living? A Yes sir; she was the last account I heard of
her.
Q She was a Cherokee by blood? A I do not know.
Q Are you married? A Yes sir.
Q Is your wife a citizen? A No sir.
Q Have you any children? A Two.
Q What are their names? A William Wilson.
Q How old? A He will be six the 7th of next December.
Q Next one? A Pearlle Wilson.
Q How old? A Four years old.
Q Are these children living, and living with you? A Yes sir.
Q Have you any evidence of your marriage? A No sir; nothing
but a mother in law; I have no certificate or anything like that.
Q When were you married? A About seven years ago.
Q To whom? A Annie Sharver.
Q A white woman? A Yes sir.
Q Where? A Canadian District.
Q When by? A Elks.
Q A preacher? A Yes sir.
Q Is he living? A I do not know.
Q Did you have any certificate of marriage? A No sir/
Q Were you married under a United States license? A Yes sir.
Q Where did you get the license? A In Texas.
Q Did you marry in Texas? A No sir; in Canadian district.
Q Married under a Texas license in Canadian District?; what did
you do with the license? A Sent it to Texas to have it recorded.
Q Recorded there, is it? A Yes sir.
Q What District were you in in 1899? A I reckon I was in
Sequoyah.
Q Were you ever admitted to citizenship? A Yes sir; before the
Dawes Commission.
Q In 1896? A Yes sir.
Q Were you admitted or rejected? A They told me they did not
have any right to take my case; they said they were working on
rejected citizens.
Q When was that? A Three or four years ago.

- Q Did you draw your strip money? A No sir; I was in Ft. Smith in jail then.
- Q Did you ever live in Georgia? A No sir; my father did.
- Q What is his name? A George W. Wilson., I reckon; they call-ed him "Doc".
- Q Where were you born? A At Wilsons Rock.
- Q What Nation? A Cherokee.
- Q You were born there? A Yes sir.
- Q How long did you live there before you moved away?
- A Three or four years.
- Q Where did you go? A Scullyville County, Choctaw Nation.
- Q How long did you live there? A About eleven years.
- Q Where did you go then? A To the Cherokee Nation.
- Q Have you always lived here since? A Yes sir; here and Flint District.
- Q How long did you live in Arkansas? A I was in Ft. Smith in jail.
- Q How long did you live in Texas? A I never did live in Texas.

By Mr. W. W. Hastings, Cherokee Representative:

- Q Did your wife live in Texas? A No sir.
- Q How did you happen to get a liscence in Texas? A I was there attending Court.
- Q Where did you wife live at that time? A In Canadian District.
- Why did you not get the liscence at Muskogee?
- Q I was down there attending Court.
- Q What in? A In a whiskey case.
- Q Did they have you down there for whiskey? A No sir; I was a witness there.
- Q Who filed your case here? A I went before them four years ago; I had my mothers affidavit to tell whose child I was; I took it before the Dawes Commission at Ft. Gibson; and they said they had no right in the case; that they were working on rejected cases only.
- Q Who was your father? A Doc Wilson.
- Q Where did he live? A At Wilson's rock.
- Q Was he a recognized citizen of the Cherokee nation? A Yes sir.

By the Commission.

- Q You say your mother's name was Margaret? A Yes sir.

By Mr. W. W. Hastings, Cherokee Representative:

- Q A white woman? A I do not know what she was.
- Q Did she claim to be part Choctaw? A I do not know.
- Q Were you not claiming Choctaw citizenship in the Choctaw Nation? Did your mother ever claim it? A I never heard of it.
- Q Did you ever know of her claiming it? A No sir.
- Q Is your wife part Choctaw? A No sir; she is a white woman.

By the Commission:

- Q Your name does not appear on any of the rolls of the Cherokee Nation; consequently, we will have to reject your application, unless you can bring some proof to show that you were enrolled by some other name. We have no jurisdiction unless your name appears on some of the rolls. You never drew any money? A No sir.
- Q Never have been recognized as a citizen? A No sir.
- Q Never have been recognized by the Cherokee authorities, have you? A No sir; my mother and father have appear.

By Mr. W. W. Hastings, Cherokee Representative:

- Q Do you know whether your father was married to your mother or not? A No sir.

By the Commission:

- Q Your father and mother are both dead? A No sir; my mother is

not dead, I reckon.

Q Do you know where she lives? A She lives in McAlester, Choctaw Nation.

Mr. Wilson, your application for enrollment as a citizen of the Cherokee nation is refused, for the reason that under the act of Congress approved May 31st, 1900, Indian Appropriation Bill, this Commission has not authority to receive, consider or make any record of applications of any citizen of any tribe in the Indian Territory, who has not been enrolled: Said law further provides that your application shall be final. The Commission will transmit this judgment to the Secretary of the Interior, when the rolls of the Cherokee nation are sent him for his approval. Your application for enrollment for yourself and children, William and Pearl Wilson, is rejected.

R. R. Gravens, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the foregoing case, and that the above and foregoing is a true, full and correct transcript of his stenographic notes in said case.

R. R. Gravens

Sworn to and subscribed before me this 17th day of August, 1900.

[Signature]

COMMISSIONER.

Mem 40

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 15 1900

[Signature]

ALLEG. GUARDIAN

CHEROKEES BY BLOOD AND ADOPTION.

Date AUG 15 1900 1900.1 Name Leanne H. Wilson Muskogee Dist.District _____ Year 1880 Page _____ No. _____Citizen by blood yes Mother's citizenship _____

Intermarried citizen _____

Married under what law _____ Date of marriage 1887

License _____ Certificate _____

Wife's name _____

District _____ Year _____ Page _____ No. _____

Citizen by blood _____ Mother's citizenship _____

Intermarried citizen _____

Married under what law _____ Date of marriage _____

License _____ Certificate _____

Names of Children:

2 William Wilson Dist. _____ Year _____ Page _____ No. _____ Age 63. Pearl " Dist. _____ Year _____ Page _____ No. _____ Age 4

Dist. _____ Year _____ Page _____ No. _____ Age _____

Dist. _____ Year _____ Page _____ No. _____ Age _____

Dist. _____ Year _____ Page _____ No. _____ Age _____

Dist. _____ Year _____ Page _____ No. _____ Age _____

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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FEB 20 1901

S U P P L E M E N T A L T E S T I M O N Y .

Memo. #40.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., FEBRUARY 21st, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of
George W. Wilson as a citizen of the Cherokee Nation:

MARGARET WATHEWS, being sworn and examined by Commissioner
Needles, testified as follows:

- Q What is your name? A Margaret Mathews.
Q What is your age? A I suppose I am about 60 years old.
Q What is your post office? A Hartshorn.
Q In the Choctaw Nation? A Yes, sir.
Q Do you live in the Choctaw Nation? A Yes, sir.
Q Are you a citizen of the Cherokee Nation? A No, sir.
Q Are you a citizen of the Choctaw Nation? A I don't know; I never
had my rights proved up.
Q Do you know George W. Wilson? A Yes, sir.
Q What relation is he to you? A He is my son.
Q What was his father's name? A George Wilson.
Q Of what blood was his father? A Cherokee blood.
Q Where were you and his father married? A At Wilson Hook in
Sequoyah district.
Q Is his father living? A No, sir.
Q When did he die? A He has been dead a good many years.
Q Was he a recognized citizen of the Cherokee Nation? A Yes, sir.
Q Did he die before 1880, 20 years ago? A No, sir, he has not
been dead that long.
Q Where did he die? A I don't know where he died at.
Q Were you living with him at the time of his death? A No, sir.
Q What did you say his name was? A George Wilson.
Q Where was your son George here born? A At the Wilson Hook in
the Cherokee Nation.
Q Was his father a recognized citizen of the Cherokee Nation?
A Yes, sir.
Q What degree of blood did he have? A I could not tell you hardly
he was a citizen.
Q Were you ever recognized by the Cherokee authorities as a
citizen? A Yes, sir, when I was with him I was.
Q When did you separated from him? A I just could not tell you
how many years it has been.
Q How old was George when you separated? A About six months old.
Q Where did you go after you separated from him? A I just knocked
around and went across the river.
Q Have you married again? A Yes, sir; went over in Soulliville.
Q You and Georgie's father were legally married were you?
A Yes, sir.
BY JOEL L. BAUGH, Cherokee Representative:
Q How long did you live with him after you were married?
A About a year and a half.

BY COMMISSIONER NEEDLES:

Q His name is not on the roll of 1896; he never drew what is
known as strip money in 1894? Applicant answers: "I was in
jail then."

BY JOEL L. BAUGH:

Q Did you make application for enrollment in 1896 to the Cherokee
authorities when they were making the roll? A Yes, sir.
Q What did they do; did they refuse you enrollment? A No, sir;

Supl.-Geo. W. Wilson--2.

they taken me on the roll and taken it up here before the Council; Jim Severe was tending to it for me. I have always been taught that I was on all the rolls up to the time of my father's death.

Com'r Needles: When did your father die? A About 14 years ago.

G. W. VANN, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A G. W. Vann.

Q How old are you? A I will be 87 years old on the 27th day of next December.

Q Do you know this applicant, George W. Wilson? A Yes, sir.

Q I knew him from a boy in his mother's arms.

Q What do you know about his father and mother? A I don't know whether they were legally married or not; I knew they lived together as man and wife. I was living on Wilson Rock; I never saw them married, but I have heard Biliby Breedlove, he is kin to them, he says they was married.

Q How long did they live together as man and wife? A They was living together as man and wife when I commenced working for them.

Q Do you know when this child was born? A Yes, sir.

Q Was he born while they were living together as husband and wife? A Yes, sir.

Q What was his father's name? A George Wilson.

Q Was he a Cherokee citizen by blood? A Said to be.

Q Did you know his mother? A Yes, sir.

Q Is she a white woman or Cherokee? A No, sir, she is a Choctaw; she is said to be a Choctaw woman.

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J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 23d day of February, 1901.


Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
FEB 21 1901

Indian Territory,

190\.

The Commission,

To the Five Civilized Tribes:

GENTLEMEN:

You are hereby advised that I desire that the application this day made by me for the enrollment of myself and those represented by me in said application, which was denied by the Commission, be submitted to the Honorable Secretary of the Interior for his consideration when the final roll of citizens of the Cherokee Nation is transmitted to him for approval.

Respectfully,

Wilson,
A. M. Windom,
B. K. Wilson

George W. Wilson ^{his} _{mark}

George W. Wilson

vs.

CHEROKEE NATION

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CO. 1000
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JES.

[Handwritten signature]

MEMO #40.- "D" #1131.

S U P P L E M E N T A L - T E S T I M O N Y .

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, I.T., FEBRUARY 26th, 1901.

SUPPLEMENTAL TESTIMONY IN THE MATTER OF THE APPLICATION OF George W/ Wilson, Memo. #40.

By Commissioner T. B. Needles:

J. W. Breedlove, attorney for applicant comes and presents the pay roll of 1886 of Sequoyah District, on which is found the name of George Wilson, child of G. W. Wilson, seventeen years of age, as Number 211, Series "D".

Q What evidence have you Mr. Breedlove that the George Wilson upon this 1886 Roll is the applicant?

A I don't know as far as that is concerned that I have any immediate evidence right here, but I can swear that they were the only George Wilsons there were in Sequoyah District.

Com'r. T. B. Needles: Upon an examination of the Rolls of 1880 the name of George W. Wilson, averred to be the father of the applicant, is found on Page 728, Number 1413, Geo. W. Wilson, Sequoyah District.

The applicant by his attorney presents a marriage certificate, which is filed herewith, certifying that on the 1st day of July, "1904", he was married to one, Nannie Sharver, in the State of Texas, according to the laws of the State of Texas; but afterwards withdraws said certificate to have same corrected.

Com'r. T. B. Needles: By reason of the fact that the name of George Wilson is found upon the pay roll of 1886 of the Cherokee Nation, the names of himself, wife and children will be taken from Cherokee Memorandum Number 40 and placed upon Doubtful card Number 1131.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 26th day of February, A. D., 1901, at Muskogee, Indian Territory.

COMMISSIONER.

11-10-1
DEPARTMENT OF THE
COMMISSION TO THE

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D. 1151.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., March 20, 1902.

In the matter of the application of George W. Wilson for the enrollment of himself and children as citizens of the Cherokee Nation.

Applicant represented by James W. Breedlove.
Cherokee Nation represented by W. W. Hastings.

The applicant was notified by registered letter March 1st, 1902, that his application for the enrollment of himself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 20th day of March, 1902. The applicant this day appears by his attorney, J. W. Breedlove.

COMMISSION: Is there any statement you desire to make relative to the case?

MR. BREEDLOVE: No statement, I desire to close the testimony and submit it to the Commission.

The attorney for the applicant and the representative of the Cherokee Nation present submit the case; the same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

I, Arthur G. Oreninger, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

Arthur G. Oreninger

Marriage License.

State of Texas,
County of Lamar.

To any Regularly Licensed or Ordained Minister of the Gospel, Jewish Rabbi, Judge of the District or County Court, or any Justice of the Peace in and for Lamar County, Greeting:

You are hereby authorized to solemnize the rites of matrimony between Mr. George Wilson and Miss Annie Sharver and make due return to the Clerk of the County Court of said County, within sixty days thereafter, certifying your action under this License.

Witness my official signature and seal of office at office in the 23 day of June, 1894.

W. B. Kavanaugh, Clerk of County Court,
Lamar County.
By W. F. Gill, Deputy.

SRAL.

I, B. Eppse, hereby certify that on the 1st day of July, 1894, I united in Marriage George Wilson and Annie Sharver, the parties above named.

Witness my hand, this 2 day of July, 1894.

B. Eppse,

A Minister of the Gospel.

My credentials are recorded at South McAlister, I. T., Book A., Page 155.

Returned and filed for record the 3 day of July, 1894, and recorded the 3 day of July, 1894.

W. F. Gill, Deputy. W. B. Kavanaugh, County Clerk.

The State of Texas,)
County of Lamar.)

I, Dee Thompson, Clerk County Court, Lamar County, Texas, do hereby certify that the within is a true and correct copy of Marriage License issued on 23rd day of June, 1894, to George Wilson and Annie Sharver, together with the return thereon as appears of record in my office in Book 14, Page 108, Lamar County Marriage Records.

Given under my hand and seal of office in the City of Paris, Texas, this Feb. 18th, A. D. 1901.

Dee Thompson, Clk. Co. Court,
Lamar County, Texas.

By F. M. Bishop, Deputy.

No. ----- Marriage License. ----- and -----
Issued the ----- day of ----- 190---.
Clerk County Court ----- Co. By ----- Deputy.
Filed the ----- day of ----- 190---.
Clerk County Court ----- Co. By ----- Deputy.
Recorded in Book ----- Page ----- of Marriage Records.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Ind. Ter., June 24, 1902.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application of George W. Wilson, et al.
D 1131.

N. E. Luck

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DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,

Muskogee I. T. November 20th 1902.

In the matter of the application of George W. Wilson for enrollment
as a citizen of the Cherokee Nation.
Cherokee D. 21131

Motion to reopen case.

Comes now the Cherokee Nation and moves the Commission to reopen the case of George W. Wilson and set it for hearing at Muskogee I. T. on December 1st 1902 in order that the Cherokee Nation be afforded an opportunity to introduce witnesses to disprove the right of the applicant to be enrolled as a citizen of the Cherokee Nation.

In support of said motion the Cherokee Nation will produce the following witnesses: John Faulkner, Oscar Petit and Charles Farge by whom it expects to prove that the applicant is not entitled to enrollment as a citizen of the Cherokee Nation because applicants mother was a white woman and was never married to the alleged father of the applicant.

This motion is not made for the purposes of delay but that justice might be done.

Respectfully submitted,

W. W. Hoaling
Attorney for the Cherokee Nation.

Motion Granted
Nov 20th 1902

acting chairman

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., December 1, 1908.

In the matter of the application of George W. Wilson for the enrollment of himself and children, William and Pearl Wilson, as citizens by blood of the Cherokee Nation.

Applicant represented by J. W. Breedlove; Cherokee Nation by W. W. Hastings.

John Faulkner, being sworn and examined as a witness on behalf of the Cherokee Nation, testified as follows:
By W. W. Hastings: What is your name? A John Faulkner.

J. W. Breedlove: I desire an attorney for applicant at this time to object to the taking of further testimony in the matter of this application for the reason that the applicant has by rule of the Commission been summoned to appear on March 20th and submitted or agreed to the submission of the case upon the testimony taken and that on that day said applicant appeared by myself as attorney and agreed that the testimony be closed and the case be submitted to the Commission for final decision; that as shown by the record the attorney for the Cherokee Nation also appeared on the part of the Cherokee Nation and agreed that the testimony be closed and the case be submitted for final decision.

Examination continued by W. W. Hastings:

Q What is your age? A Going on fifty-six.
Q Where do you live? A I live in the Cherokee Nation, Midrow.
Q How long have you lived in Sequoyah District in the vicinity of Midrow? A I lived there all my life, within fifteen miles of there.
Q How far do you live from Midrow now? A I live about a half mile.
Q Do you know the applicant who gives his name here and makes application under the name of George W. Wilson? A Yes sir, I know him.
Q Did you know a man that he knew alleges to be his father who was also known as George Wilson or Doc Wilson? A Yes sir.
Q When did you learn to know him, his alleged father? A I saw him in '87.
Q How far did you live from him in 1867? A Well, I stayed about one and a half miles or two miles.
Q How long did you live from him in '68? A Well, I was just about the same place; I made a crop near there in '68.
Q I will ask you if you knew this Wilson well? A Yes sir.
Q Did you know him well in '67 and '68? A Yes sir, pretty well.
Q Were you intimately acquainted with him? A Yes sir, pretty well acquainted with him.
Q Did you know a white woman down in that neighborhood by the name of Margaret who was the alleged mother of this applicant George Wilson? A Yes, I think I did.
Q Was she ever married to George W. Wilson, the averred father of the applicant? A Not that I ever heard of.
Q You never heard of their marriage? A No sir, I never did; I can't think of it since this thing came up or ever hearing of it.
Q Could she have married him and lived with him as his wife as much as a year and a half and you not knowing of it and you within one and a half miles? A I don't believe she could have.
Q Did you ever hear that they ever claimed that she married him until this case came up before the Commission? A No sir, I never did.
Q Did you ever hear the averred father, George W. Wilson, speak as this applicant being his son? A Not that I can recollect of.
Q When did George W. Wilson die do you know? A I can't recollect the year; it has been fourteen years ago last spring.
Q Well if that be true that would have been in the spring of '87
A Yes sir, about that time.

2-George W. Wilson et al.

Q Did you ever see the applicant, George Wilson, before the death of his averted father in '88? A No sir, I never did.

Q Never saw him? A No sir.

Q You are well acquainted with the citizens of Sequoyah District are you? A Yes sir, pretty well.

Q Do you know whether or not this applicant has ever been recognized down there as a citizen? A Not that I know of he never has been recognized; he has never voted as long as I have known it; I have been judge of elections and he never tried it while I was judge.

Q You were always around and took part in elections? A Yes sir.

Q Only three precincts in the district? A Yes sir; I generally have been at elections and he never tried there.

Q Well, Muldrow, is the only precinct in the lower part of the district. Lee Creek is in the north part and Sweet Town in the west part of Sequoyah? A Yes sir.

Q And you never heard of this applicant being recognized down there? A No sir, I didn't.

Q I will ask you if you knew a colored man down there by the name of George W. Vann who was a witness in this case? A Yes sir, I know him.

Q I will ask you if you know his reputation for truth and veracity throughout that community? A It isn't very good at all.

Q Do you know it, is it bad or good? A His reputation is bad.

Q I will ask you if his reputation isn't extremely bad, very bad? A Yes sir, it is.

Mr. Breadlove: You say you knew Doc Wilson along when you first know him was in '87? A Yes sir, early part of '87, the first of the year.

Q Did he move into that country then or did you move into that country? A We moved all about the same time.

Q Right after the war? A Yes sir.

Q Did you know him before he moved there? A No sir.

Q Then you had only been acquainted with him during the years '87, '88, and '89, you had been acquainted with him three years then up to '89? A Yes.

Q You say you never knew of him living or having a wife there whose name was Margaret? A No sir, I never heard of it.

Q Did you ever know of his wife? A He had several.

Q He had several wives? A Yes sir, four that I know.

Q Who were they? A The first woman was named Rinda Anderson, was her maiden name, said to be.

Q Do you know whether he had any children by that wife or not? A He had one.

Q What was its name? A I don't recollect its name; he was small when she died. He took it off.

Q He took it off? A Yes sir.

Q What was his next wife's name? A Bettie Collier that is the one he lived with.

Q Did he have any children by that wife? A No sir, he never had any by her, they only lived together a while and then they parted.

Q Who was his next wife? A He married a woman they called Lizzie Stevenson. I think she was a widow.

Q Did he have any children by that wife? A Yes sir, he had two.

Q What were their names? A Georgia and Sam.

Q That is three - what was the other one? A The other one was Arrie Davis, now Mrs. Fargo.

Q Do you know from your own personal knowledge that he married these women? A No sir, I don't; he lived with them as his wife; I guess he married them; I never saw him married to them.

Q You knew he lived with them? A Yes sir.

Q Do you know how long he lived with each of them? A His first wife I guess he lived with her something near three years, the Anderson woman.

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Q In what time was it when he married Rinda Anderson? A I can't recollect. I know when she died; they lived together I think three years.

Q How long then after you became acquainted with Doc Wilson was it until he married this Rinda Anderson? A I don't think I can exactly say.

Q About how many years after you became acquainted with him in '67?

A I expect a couple of years.

Q Are you guessing at that or have you anything to make you believe it? A Yes, I have something to let me go by; he got this woman in the Cheatem Nation or the state and he got her during the time his sister lived over there; after her death, he got her on that place and they moved here afterwards in '70; that is my understanding.

Q If you understand that right? A Yes sir.

Q Are you stating these facts from hearsay? A Yes sir.

Q You have to state it from hearsay, that is about the time he went over there to see his sister and got her. Did you ever see that woman Rinda Anderson? A Yes sir, I saw her after he got her.

Q And yet you don't remember what year it was? A No sir.

Q Are you sure her name was Rinda Anderson, or is that hearsay? A I don't know that I asked her; I knew her brothers and they said her name was Rinda Anderson; I knew her brothers and sisters. I knew them well all around there with him when we moved there and since then.

Q About when then did he marry this Bettie Collier? A A short time afterwards, I don't recollect how long afterwards.

Q After he married this first wife or after she died? A After she died.

Q A short time? A Yes.

Q Can you give us any idea about the date? A This first wife died in the fall of '72.

Q The first you know of him having? A Yes, '72.

A And he married this other one - I moved still closer to him - and he married this other widow Lizzie in '74 and you can judge he married the other between that.

Q He married Lizzie in '74? A Yes, '74.

Q Did she die? A Yes, they say she died.

Q He married then Bettie Collier between '72 and '74? A Yes, he didn't live with her but a short time; she was a little girl and I don't know what made him quit.

Q These are all the women you know of his living with? A That is all I recollect of. He lived with his wife; I don't know what he did on the outside. Those he lived with.

Q Now, Mr. Faulker, it is a fact that you don't know as it is so long, as he lived with so many within just a few years? A If he ever did I can't recollect; it is right in the neighborhood and there were very few people around there.

Q Did you ever hear of this woman, Margaret? A I guess I knew her, I saw her at Charley Fozgs.

Q You never saw her at Doc Wilson's house? A I never did. He stayed with his brother in '68.

Q Did you ever see this woman at his brother's? A I don't recollect that I did. I heard of her being over there and had a child. I heard of her being over there and had a child.

Q You heard of her being there and had a child? A Yes sir.

Q Did you hear how long she was over there? A I don't recollect. I can't say, I don't think she stayed there very long, I don't recollect positive.

Q It might have been a year? A I don't think it was a year.

Q The fact is, it has been so long that you don't remember how long she stayed there? A No sir, I don't.

Q And as a matter of fact of your own personal knowledge you don't remember whether he was married to her or not? A I never heard of it; he might have been married secretly.

Q Answer this question "yes" or "no", do you know of your own

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personal knowledge that he wasn't married to this woman, Margaret, the averred mother of George W. Wilson, the applicant? A I never heard of it, I don't know.

Q I asked you to answer that "yes" or "no"? I want to get a positive answer. Do you know of your own knowledge whether he was ever married to this woman? A I couldn't say positive whether he was or not. No, I never heard of it.

Q You say you know George W. Vann? A Yes sir.

Q You know his reputation for truth and veracity? A Yes sir.

Q You say it is bad? A I said his reputation is awfully bad.

Q ~~How did you ever hear say it was bad?~~ A I couldn't tell you who, nearly everybody.

Q Name one or two of them? A I heard Dave Faulkner, and I can't think who else.

Q When did you hear him say that? A I don't recollect, it has been two or three years ago.

Q It might have gotten better since then might it not? A I don't know, I heard he got worse.

Q Name the next one? A I can't name them; I expect you heard of it as much as I have.

Q Who else did you ever hear say it? A I can't say; it has been a general talk.

Q Can't you name any other one? A I don't know, I can't think of every one but it has been pretty near general that old George Vann --

Q Isn't it a fact, Mr. Faulkner, that you base that knowledge mostly from the fact that he has long been an applicant for citizenship in the Cherokee Nation as a freedman and that he has been used as a witness in a great many cases and that people have talked around about him being a witness in so many cases and being a general liar in other words used for a general witness before the Commission? A Yes sir.

Q That is what you base that from isn't it? A Yes.

Q Yet you can't state but one party? A I could think of more; there has been so many; it has been all over the country.

Q Tell a few of them? A I couldn't do that; there has been so much of it.

Q Do you know how old George Vann is? A No sir.

Q Do you know whether he ever lived or worked for Billy Wilson? A I never heard of him until after '75, until I heard of that nigger.

Q He might have been in the country and you never heard of him? A I think I would have knowed him if I ever saw him.

W.W.Hastings: Was he there as early as '68 and witnessed this marriage? A I never heard of him; he wasn't there, I surely could have seen him; there wasn't but two darkies around there; it was thinly settled.

Q I forgot to ask you a while ago - you said you heard of this applicant's mother having a child in that neighborhood? A Yes sir.

Q Who was the reputed father of that child?

Applicant's attorney: Objected to.

Commission: Objection noted; answer the question.

A He always went by the name of Tom Langley.

Q What was the reputation of that woman as to virtue in the country at that time? A It has been a long time ago; what I can think it wasn't very good; I wasn't thoroughly acquainted with her; I heard them muttering around about her and it wasn't very good, that woman lived at Fargo.

Mr. Broadlove: You say the reputed father of a certain child that was born in that neighborhood was Tom Langley? A Yes, that is what is said.

Q Was that the child you speak of being born while this woman Margaret worked over there? A I can't say; she had a child at Wilson Rock, that is what I understood.

Q You say she had this child while she stayed over at Wilson's? A That is my understanding, the neighborhood talk, - we knew her as Margaret - Margaret was over to the Rocks and had a child and it was Tom Langley's.

Q You don't know whether it was Tom Langley's or not? A No sir, I don't know whether it was or not.

Q Then the neighborhood talk was that it was Tom Langley's child? A Yes sir.

Q Yet it was born at Wilson Hook? A I suppose it was, that is my recollection.

Q Was Doc Wilson there at that time? A I guess he was, he stayed around there.

Q Where did Tom Langley live at that time? A He stayed down in the bottoms.

Q How old was Tom Langley then? A He was a young man, I don't recollect.

Q About how old? A I expect about twenty or twenty-one.

Q Was he a citizen or non citizen? A He was a citizen recognized, Tom Langley.

Q You think he was about twenty or twenty-one? A I think he was a young man; he wasn't raised in that country, he come in after the war. I couldn't state positively what his age was.

Q Could he have been less than twenty-one? A I couldn't tell, you; he was kind of grown, he had a beard on his face.

Q Are you sure he had beard on it? A Yes sir, I know it.

Q In '67 or '68? A Yes sir, he had a little beard.

Q In '67 or '68? A Yes sir.

Q Now you say you knew the reputation of this woman Margaret for virtue during the years '67, '68 and '69? A '68 is when I saw her at Fargo.

Q You stated her reputation was bad? A It was talked like it wasn't very good.

Q Who did you ever hear say that? A Charley Fargo said so.

Q What did he say? A He talked as if she wasn't no good.

Q Who else? A I heard all the Langleys laughing over her at Fargo; they were a little plainer than the balance of them.

Q Which one of the Langleys did you hear speak of her? A Both of them, I guess Tom and Locke Langley both.

Q What had Tom say about her? A I don't recollect; they laughed over her just as a person would over a woman.

Q She was a widow at that time? A I don't recollect, I know she had a little kid.

Q Whose child was that, do you know? A No sir, I don't; I never talked to her, I just saw her; I think it died; that is my recollection.

Q You can't state anything you heard these Langleys say about this woman? A No sir, just making light of her, laughing over her.

Q You don't know anything about her from your own personal knowledge? A No sir, I don't.

Q She might be virtuous for all you know from your own personal knowledge, do you say "yes" or "no"? A She might be, I couldn't say, I never had anything to do with her.

O. A. Fargo, being sworn and examined, testified as follows:

By W. F. Hastings: What is your name? A O. A. Fargo.

Q What is your postoffice? A Muldrow.

Q How old are you? A Fifty-seven.

Q Are you a Cherokee citizen? A Yes sir.

Q How long have you lived in the vicinity of where Muldrow now is?

A I have lived there all my life.

Q Were you living there in '67, '68, '69? A Yes sir.

Q I will ask you first if you know a colored man down in that country by the name of George W. Vann? A Yes, I am slightly acquainted with him.

Q Do you know his reputation for truth and veracity in that country?

A Yes sir.

Q Is that good or bad? A Bad.

Q I will ask you, Mr. Fargo, if you know this applicant here, George W. Wilson? A Yes sir.

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Q How long have you known him? A I have known him I guess about six years.

Q Did you know him before his averted father's death? A No sir.

Q Did you know a woman by the name of Margaret that he claims as his mother? A Yes sir.

Q When did you first learn to know her? A I think it was in the year either '87 or '8, I won't be certain.

Q Did she have any children when you first knew her? A Yes sir, had one, a boy.

Q Do you know what became of the boy? A I think it died, I won't be certain.

Q ~~Was~~ Did you know its first name? A No sir.

Q Did you know her during the year '88? A Yes.

Q Was she at your house? A She was living with us, it was either '87 or '8, I won't be certain which year it was.

Q How long had she been there? A She had been there about five or six months.

Q Mr. Fargo, what was the cause of her leaving? A Well, my wife didn't think her character was very good and she told her to go and hunt another home; she run around a good deal with the neighbors.

Q What was her idea of her condition as to pregnancy at that time? A I couldn't tell anything about that.

Q What did your wife say about it at that time? A I didn't hear her say.

Applicant's Attorney: I desire to object to that.

Q I will ask you a straight question whether or not you and your wife concluded that that woman Margaret was with child and if that wasn't one of the reasons of her being caused to leave your place?

A I don't think we had any such talk in regard to that.

Q Well, but what was your idea about it, what was your judgment about it then? A Well, I couldn't say whether she was that way or not.

Q But what was your judgment at that time? A Well, she was a very fresh lady and just by looking at her you couldn't tell whether she was pregnant or not.

Q Did you think she was? A I couldn't say.

I don't know whether she was or not. I wasn't any judge at that time.

Q That wasn't the cause of her leaving your place? A It wasn't on my account.

Q I don't say on your own individual account? A My wife and I thought so.

Q Do you know whether your wife thought that? A I don't know.

Q She didn't speak of it at that time? A No.

Q Did she have a child shortly after that? A I understand she did.

Q About how long after that? A I couldn't say how long.

Q About how many months? A I couldn't say that I understood she had a child —; it may have been six months and it may have been twelve.

Q You don't remember about that? A No sir, I don't remember.

Q You know the applicant George Wilson? A Yes sir.

Q Has he ever been recognized down there in Sequoyah District as a citizen? A No sir.

Q Has he ever been allowed to vote? A No sir.

Q Has he tried to vote? A I don't think he ever tried to vote but for the last election I think he applied to vote on the treaties.

Q Was he allowed to vote by the people? A No sir.

Q He has never been recognized as a citizen down there? A No sir.

Q You never knew him until about six years ago? A Six years ago, yes.

Q Do you know where he came from when he came there? A No sir, I don't.

Q You don't know where he had been residing before that time? A No sir.

Q You say that his averted mother was a woman of bad reputation? A Yes sir.

Q Was it a bad reputation for virtue? A Well, I don't know; yes, I reckon it was.

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Q And that was the reason your wife got rid of her? A Yes sir.

Applicant's Attorney: You say you know George Varn? A Yes, I

know George Varn.

Q You say his reputation for truth and veracity? A Yes sir.

Q You say it is bad? A Yes sir.

Q Who did you ever hear say it was bad? A I have heard you.

Q Me? A Yes.

Q Are you sure of that? A Yes, you and your father both.

Q When? A At various times.

Q Name the time? A I can't name any specified time; that is common talk in our district what kind of a man George Varn is.

Q You can't name any time that you ever heard me say it? A No.

Q When did you ever hear father say so? A At various times.

Q Name some of the time? A I couldn't name the time.

Q Now you say you first knew this woman Margaret in '67 was it?

A Either in '67 or '8, I wouldn't be certain.

Q How long before she came to your house was it that you knew her,

or did you first get acquainted with her when she came to house? A I never got acquainted with her until she came to my house.

Q How long was she at your house? A Five or six months.

Q Then you don't exactly know when she came there? A No.

Q It was '67 or '8? A '68 I guess, I won't be certain.

Q And she lived there five or six months? A Yes sir.

Q How long was it after she left there until this reputed child was born? A I couldn't say.

Q Where was the child born? A I couldn't tell you that, where it was born.

Q Who did you hear speak of it being born? A I heard several of the neighbors say that Margaret had a baby.

Q Where was Margaret living when they said this? A I couldn't tell you that; she went off; when she left our house she said she was going to Doc Wilson, he wanted her to come there and work for him.

Q Do you know of your own personal knowledge whether she went there? A No sir.

Q It was reported to you that she went to Wilsons? A Yes sir, I understood that.

Q Was it talked through the neighborhood that she was at Wilsons when she had this child? A No, it wasn't.

Q You didn't have any idea when she had this child where she was? A No sir.

Q Not the least idea where she was when she had this child? A No.

Q Did you ever hear Doc Wilson speak of this child? A No sir.

Q Never did? A No sir.

Q How many wives did Doc Wilson have during the time that you knew him? A I don't know, I didn't keep up with Doc Wilson's marriages.

Q You haven't any idea how many wives he had? A No sir.

Q How far did you live from him? A About eight miles.

Q Where were you living then? A I was living at Pawpaw; he was living at the Rock.

Q Do you know of him ever being married to this Margaret? A No sir.

Q Do you know what became of Margaret when she left that country? A No sir.

Q Do you know when she left that country? A No sir.

Q You stated a while ago, Mr. Fargo, that you knew her reputation for virtue and it was bad, the day you ever hear say her reputation was bad? A Well, my wife said she didn't think she was the right kind of a woman to have around the family.

Q Who else? A I don't remember of hearing anybody else but my wife. She ran around a good deal in the neighborhood, after nights she was out.

Q Didn't you say just now that the only time you knew her was the time she came there and you didn't know where she went after she left?

A I am speaking while she was at my house. Yes, I mean after supper and would be out at bed times.

Q Who would? A She would be at the neighbors' houses. I didn't know who she was with.

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Q Do you know anything about whether this reputation is true of your own personal knowledge? A No sir.

Q You didn't have anything to do with her yourself? A I am not discriminating myself. That has been a long time ago; I wont answer that.

Q I will ask you Mr. Fargo, if you didn't tell me yesterday evening coming up on the train that you knew that this woman lived over with Doc Wilson and that she had a child while she lived there? A No sir, I didn't.

Q I will ask you if you didn't tell me this morning that this woman Margaret stayed at Doc Wilson's, moved there to cook for him, and that she had a child? A I just now stated that.

Q Didn't you tell me that this morning? A Tell, I don't know; we may have had such a conversation as that.

Q You might have told me that this morning? A Yes, I think I stated that, that she left our house and was going to Doc Wilson's, but I didn't say she had a child there.

Q She might have had a child there and you not know it? A She may have.

Q She might have lived there one and a half years and you not have known it? A Yes; I didn't go upthere very often, in four or five years.

Applicant's attorney: I desire to offer in addition to what testimony has already been offered the rolls of 1883, Sequoyah District pay rolls, or a copy I suppose it is.

Commission: There appears upon the pay roll of the citizens of the Cherokee Nation, Sequoyah District, year 1883, opposite 1209 the name of G. W. Willson, and opposite No. 1210, presumably in the same family the name of one George Willson.

This case continued by agreement until December 11, 1902, one o'clock P. M.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 2nd day of December, 1902.

Notary Public.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., December 15, 1902.

In the matter of the application of George W. Wilson for the enrollment of himself and children, William and Pearl Wilson as citizens by blood of the Cherokee Nation.

Applicant represented by J. W. Breedlove; no appearance of the Cherokee Nation.

Case continued by agreement from December 1st until to-day.

George M. Gunter, being sworn and examined, testified as follows:
By J.W.Breedlove: What is your name? A George M. Gunter.

Q Where do you live? A Sequoyah District.

Q That is in the Cherokee Nation? A Cherokee Nation.

Q In what part of Sequoyah District do you live - what is your postoffice? A Redland.

Q How far do you live from what is known as Wilson's Rock on the river? A Two miles and a half above.

Q Two and a half miles above on the river? A Yes.

Q How long have you lived in that immediate country, right there between Wilson Rock and Redland? A I have been living there I guess fifty-three years.

Q I will ask you if you were acquainted with Doctor George Wilson? A Yes sir.

Q How far did Doctor George Wilson live from you in '68, '9 and '70? A He was living with his brother on the Rock.

Q On Wilson Rock? A Yes sir.

Q And how far from there did you live at that time, '68, '9 and '70, how far did you live from Wilson Rock? A Two and a half miles.

Q Did you know his wife at that time in '68? A I know he was living with a woman by the name of Margaret.

Q Did you ever see them married? A No sir, I never did.

Q Do you know whether they lived together as man and wife or not? A Yes, they lived together.

Q They lived as man and wife together? A Yes sir.

Q Did his brother, William Wilson, have a wife at that time? A No sir.

Q Was there any other woman on the place living with these two brothers, living at the house of these two brothers except Margaret? A No sir, after that old man Billy Wilson married.

Q Who did he marry? A He married a Sanders.

Q Do you know how long he lived with this woman, Margaret, as his wife? A No sir, I don't.

Q You don't know? A No, I don't.

Q Do you know what became of her, where she went to? A No, I don't.

Q Do you know when they separated, if they ever separated? A No, I don't.

Q Do you know this applicant, George Wilson? A No, I don't.

Q You don't know him? A No sir.

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Q Do you know whether or not at the time this Doctor Wilson lived with this woman Margaret there was a child born? A Yes sir, they had a child.

Q Do you know what it was named? A No sir, I don't.

Q You know a child was born there on Wilson Rock in about '69 while Doctor Wilson and Margaret were living together as man and wife, you know that? A Yes, I know that.

Q You lived within two and a half miles of there? A Yes sir.

Q You are a recognized citizen of the Cherokee Nation, are you, Mr. Gunter? A Yes, I guess so.

Q Have always been? A I guess so.

Q Have you ever lived anywhere except on the old place there between Redland and Wilson Rock? A No sir, never have; I was down on Red River during the war.

Q But you have been back to your old home place ever since have you? A Yes sir.

Q What year did you come back after the war to the old place between Redland and Wilson Rock? A It might have been '65.

Q '65 or '66 along there? A Yes sir, along there.

Commission: Did Doctor Wilson and this woman, Margaret, live together as man and wife during the time they stayed at Wilson Rock?

A I don't know nothing about that, but he told me that was his wife; he always done my father's practicing.

Q Did he claim this woman Margaret as his wife? A That is what he claimed.

Q Did the neighbors around there recognize her as Wilson's wife? A Yes sir.

Q How long did she stay there at the house with him, as much as a year or such a matter? A It was longer than that.

Q Did she stay there three or four years? A Yes.

Q You know what became of her? A No sir, I don't.

Q Well, you say while she was living there with Doctor Wilson this child was born? A She had a child.

Q What was that child, a boy or a girl? A I don't know.

Q How large was that child the last time you saw it? A It was walking around.

Q And you don't remember whether it was a boy or a girl? A No sir.

Q Well, did Doctor Wilson stay there at that same place after his wife left? A Yes, he stayed there with his brother.

Q What became of this child after the mother left? A Well, sir, I don't know.

Q Did she take it with her or did he keep it? A I guess she took it with her.

Q Did you ever talk to Doctor Wilson any about this child after it was born? A No sir.

Q You don't know whether or not he claimed it as his child? A No sir.

Q You don't know? A No sir.

Q As a matter of fact you don't know who the father of this child was? A No sir, I don't.

Q You never heard Doctor Wilson claim it as his child? A Yes, he said he was living with this woman as his wife and that he must have thought it was his child.

Q Did you ever hear him say it was his child? A He was living with her I know.

Q What I want to know whether or not you ever heard Doctor Wilson say that this was his child? A No sir, I never did hear it.

Q Never heard it? A No sir.

George W. Wilson, being sworn and examined, testified as follows:

By J.W. Breedlove: Your name is George Wilson is it? A Yes sir.

Q How old are you? A I am about thirty-three years old.

Q Where do you live? A I live at Muldrow, Sequoyah District.

Q Where have you lived since the year that you were born, since you can recollect? A I lived in Scullyville County in the Choctaw Nation; I was small when I lived there.

Q Where is Scullyville County? A Its right across from Wilson Rock.

Q In the Choctaw Nation? A Yes sir.

Q How long did you live there? A I don't know.

Q At what age did you live Scullyville County? A About ten or eleven years old when I left.

Q Then where did you go? A I went to Brazil Station.

Q Where is that? A In Scullyville County, Choctaw Nation.

Q Then where did you go after you left Scullyville County? A To Muldrow.

Q Cherokee Nation? A Yes sir.

Q How did you happen to come back here? A Doctor Wilson, my pa, wrote me a letter to come back, to come to his house and I come over there with a fellow, I don't know his name, I don't remember what his name was - he lived there on the place with him, and I come over there and stayed five or six months and then I went back to my mother's.

Q You stayed at Doctor Wilson's some five or six months? A Yes sir.

Q How old were you then? A About eleven years old, I reckon; I just couldn't say positively; I have no education and I can't keep count of nothing.

Q Now, did you ever come back to Doctor Wilson's house after you left there at that time? A Not until after he died.

Q After he died you came back? A Yes sir.

Q When you were at Doctor Wilson's house were you received into his family and around his place and recognized by him as his son? A Yes sir.

Q He treated you as his son did he? A Yes sir.

Q You state that he sent for you to come over there? A Yes sir.

Q From the Choctaw side? A Yes, he wrote a letter for me to come there, to come to his place by a man that worked there; I was small, I don't remember. This man promised my mother he would bring me back a certain time.

Q You were only a boy? A Yes sir, only a child ten or eleven years old as well as I can remember.

Q To what extent have you been recognized as a citizen of the Cherokee Nation, if you have been recognized in any way as a citizen of the Cherokee Nation at any time state in what way it has been; as an explanation have you ever been allowed to vote in the Cherokee Nation? A Why, yes sir, I voted here in the Cherokee Nation.

Q Where was that? A Down at Muldrow.

There wasn't but one election down there two or three years back when I was kicked against voting.

Q I will ask you if you held property in the Cherokee Nation? A Yes sir, I have property in the Cherokee Nation.

Q Have you a farm in the Cherokee Nation, Sequoyah District? A Yes sir.

Q How long have you had that farm? A Six or seven years.

Q Have you ever been molested or contested as an intruder or anything of that kind? A No sir, nothing has been said against me at all.

Q When was the first time you were ever denied the privilege of voting or exercising the right of citizenship, was it before or after your father's death? A It was way after his death.

Q After his death? A Yes sir.

Q You have never been enrolled since your father's death on any roll? A No sir.

Q Have never been accorded any privilege of voting or anything of that kind? A No sir.

Q Yet you have held the a farm? A Yes sir.

Q Unmolested? A Unmolested; nobody ever bothered me about it.

Q I will ask you if you know of your father ever having you enrolled or enrolling you as his child? A Only by what he said and by what Billy Wilson told me.

Q Only what your father told you? A Yes sir, what he told me.

Q What year? A I couldn't say what year.

Q Was it in '83 or '86? A It was somewhere either in '83 or '86; it was when I come over here.

Q How many rolls are you on? A It was either two or three rolls, I don't remember which.

Q Did he have you enrolled? A Yes sir.

Q You never applied for the enrollment of yourself at that time?

A No sir.

Q How old were you in '83 or '86? A I reckon ---.

Q How old were you in '83? A I couldn't figure, I don't know how long that has been back.

Q If you, were born in '69 you would be fourteen years old in '83, would you not? A Yes sir.

Q Then you would be seventeen years old in '86? A I was eighteen years old when I come back.

Q Do you know who drew your per capita in '83 or '86? A My father drew it I suppose.

Q Your father Doctor Wilson drew it? A Yes sir, he told old uncle Billy Wilson he drew it, his brother.

Q I will ask you about your education. Have you any education or have you been educated in any way, can you read or write or anything of that kind? A No sir.

Q Have you been afforded any school privilege since your birth?

A I never had any schooling except two weeks that was at Prairie City.

Q In fact you never went to school anything in your life to amount to anything? A No sir, only two weeks.

Q You have no education? A No sir.

Q Have you anyone to look after your interests? A No sir, no one but myself.

Q Where does your mother live now? A Between Hartshorne and McAlester.

Q She never comes over to the Cherokee Nation and looks after your interests over there? A No sir.

Q You have no one to look after your interests except yourself? A No sir.

Q And haven't had since your father's death? A No sir, nobody at all.

Q Do you know G. A. Fargo who lives near Muldrow? A Charley, yes sir.

Q How long have you known him? A I have been knowing him for about fourteen or fifteen years and maybe longer than that I guess, but that is far back as I can positively say, about fifteen years back I guess.

Q Do you know his present wife, who is his wife now? A His wife used to be my father's wife. Her name is Effie Fargo now. It used to be Wilson.

Q It was Effie Wilson? A Yes sir.

Q Was she the wife of Doctor Wilson, George Wilson? A Yes sir.

Q I will ask you if she was his last wife before his death? A Yes sir, she was his last wife before his death.

Q When you came back to the Cherokee Nation after your father's death did you go to the old home of your father? A Yes sir, I went to his house; the first time I came from the Choctaw Nation after my father's death was to Billy Wilson; I come over there and went to my father's house, to Charley Fargo's wife now, Effie-; I went to her house and she recognized me and she said to me that your father told me on his deathbed that he had a child in the Choctaw Nation and he says if he ever comes here I want you to treat him the same as of my other children, and so it went on; Effie wanted me to stay home with her and I told her I would after a short time, and I turned in two or three weeks; I got over there and she says to me "what is your name" and she went ahead and asked me my name, asked me how old I was, and I told her, and it seemed like to me that she wanted to raise a racket or something of that kind, and she asked me have you ever been enrolled and I said, yes, I have been enrolled", and she comes in and writes to the Clerk's office at Tahlequah to see if I had been enrolled and so they wrote back to her and told her I had been enrolled by my daddy, George Wilson, and she says to me, before you shall have an heirs' part of Doctor Wilson's estate I will spend it all on a lawsuit; and to be honest with you I haven't been in the house or had anymore dealings with Effie Fargo since.

Commission: You say when you came from the Choctaw Nation the first time you were about ten or eleven years old? A Yes sir.

Q How long after that before you came back again? A Well, sir, I reckon -- I don't know--- I was eighteen years old when I come back again, to the best of my knowledge.

Q Doctor George Wilson was dead when you came back the next time? A Yes sir, he was dead when I came back the next time.

Q Where was his brother, Billy Wilson, when you came back the last time? A He was living at the bluffs on the river.

Q Did you see him? A Yes sir, I stayed there with him.

Q Where is Billy Wilson now? A He is dead.

Q How long has he been dead? A He has been dead about six years.

Q You weren't enrolled in 1896 were you? A No sir.

Q Six years ago? A No sir; well, I don't know whether I was enrolled or not; I tried to enroll over at Webbers Falls before a man, Scully, and I didn't have nobody - my home was at Muldrow, and there was nobody appeared that could identify me, and that was the reason I didn't get enrolled there.

Q You didn't draw strip money in '94? A No sir.

Q Had Doctor Wilson married again when you came over that first time; did he have a wife at that time? A Yes sir.

Q Was she the same woman that you speak of as Effie Fargo? A No sir, she wasn't the same woman.

Q Another woman. Did your mother marry after over in the Choctaw Nation after she left Doctor Wilson's? A Yes sir.

Q And she kept you with her until you were eighteen or nineteen years old? A Yes sir.

Q How long did you stay at Doctor Wilson's when you came over the first trip? A If I remember it was five or six months, I couldn't tell exactly positive; I wasn't there very long; I wouldn't be positive how long I was there.

Q At that time did he have any other children there at the house?

S-George W. Wilson et al.

A Yes sir, he had one child I think.

Q By the woman he was living with at that time? A Yes sir.

Q What became of that child? A She is living there by Mulrow.

Q Was that his child? A Yes sir, it was said to be his child; he said it was his.

Q During the time you stayed there at the house with him did you stay there as one of the family? A Yes sir.

Q Did he recognise you as a member of his family and treat you as such? A Yes sir.

J.W.Breedlove: I would like to have ten days in which to produce a ~~certified~~ copy of the original pay rolls of 1883 and 1886 of Sequoyah District for the purpose of showing who signed the pay-rolls and drew the money for the George W. Wilson, son of George Wilson, in the family of George Wilson, the alleged applicant.

Commission: Applicant will be granted the time requested in which to file the same.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothberger.

Subscribed and sworn to before me this 15th day of December, 1902.

B. A. Jones
Notary Public.

Cher
Supp'l to # D 1131

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T., March 21, 1903.

In the matter of the application of GEORGE W. WILSON, for the enrollment of himself and his children WILLIAM and PEARL WILSON, as citizens by blood of the Cherokee Nation:

Appearances:

James W. Breedlove, of Muldrow, for applicant.

GEORGE W. WILSON, being first duly sworn, and examined, testified as follows:

Examined by the Commission:

- Q State your name ? A George W. Wilson.
Q How old are you ? A I am about thirty four years old.
Q What is your post office ? A Muldrow.
Q Are you a Cherokee by blood ? A Yes sir.
Q You are a married man are you ? A Yes sir.
Q What is your wife's name ? A Annie Wilson.
Q What was her name at the time you married her ?
A Annie Sharber.
Q Was she a white woman ? A Yes sir.
Q When were you married to her ? A I married her in the
Choctaw Nation.
Q When ? A Lets see, its been about nine years ago this coming
July, the first.
Q The 1st of July, 1894, was it ? A Yes sir.
Q Have you got a marriage certificate with you ? A Yes sir.
Q Have you presented that certificate to the Commission ?
A Yes sir.
Q Had your wife ever been married before you married her ?
A No sir.
Q You are her first husband ? A Yes sir.
Q Had you ever been married before ? A No sir.
Q She was your first wife then ? A Yes sir.
Q Your wife's parents were both white persons ? A Yes sir.
Q She is not claiming any Indian blood at all ? A No sir.
Q You say you were married to her in the Choctaw Nation ?
A Yes sir.
Q Have you and your wife Annie been living together ever since you
were married ? A Yes sir.
Q Have you ever been separated at all ? A No sir.
Q And you were living together as husband and wife on the first
day of last September, were you ? A Yes sir.
Q You never had a home outside the Territory ? A No sir.
Q How many children have you ? A Two.
Q What are their names ? A One is named Willie Wilson.
Q It is enrolled as William, is that its proper name ?
A Yes sir.
Q And the next one ? A Pearly.
Q How old are they ? A One is eight years old the 27th of
December.
Q That's William ? A Yes sir.
Q And how old is Pearly ? A She will be six years old the 8th
day of this coming April.
Q You are the father of these two children ? A Yes sir.
Q And your wife Annie is their mother ? A Yes sir.
Q That's all the children you have is it ? A Yes sir.

Q Now you made application for your enrollment, and for the enrollment of your two children that you just named at Maldrow then did you? A Yes sir.

Q On August 15, 1900? A Yes sir.

Q Did you at that time make application for your wife Annie, for her enrollment? A Why I don't know, sir, whether I did or not, I think I did, it was my intention.

Q You were living together then were you?

A Yes sir; of course it was my ~~best~~ intention, it might have come out in a way; of course there wasn't no Indian blood in her.

Q Well did you regard your wife as a citizen of the Cherokee nation by her marriage to you? A Yes sir.

Q You say it was your intention at least to make application for her enrollment at that time? A Yes sir.

Q How old is your wife? A I think she is twenty six years old the first day of January; I don't know, I won't be positive, but I think that's her age.

Q Where have you been living since your marriage?

A Have been living here in the Cherokee Nation.

Q All the time since your marriage? A Yes sir.

Examined by Mr. Breedlove:

Q Mr. Wilson, you state it was your intention, when you first made application to this Commission, to apply for the enrollment of your wife Annie Wilson as a citizen of the Cherokee Nation by intermarriage? A Yes sir.

Q And it was your understanding all the time that that application has been made? A Yes sir, it was my understanding that application was made.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell

Subscribed and sworn to before me this July 13, 1903.

Samuel Foreman

Notary Public.

Cherokee D-1131.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of George W. Wilson for the enrollment of himself and his minor children, William and Pearlle Wilson, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

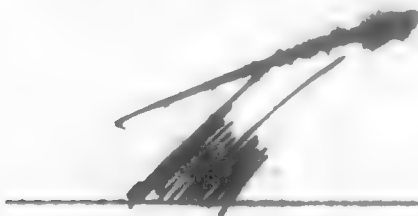
The record herein shows that on August 15, 1900, George W. Wilson appeared before the Commission at Muldrow, Indian Territory, and made application for the enrollment of himself and his two minor children, William and Pearlle Wilson, as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on February 21, and February 25, 1901, March 20, December 1, and December 15, 1902, and at Vinita, Indian Territory, on March 21, 1903. Application was also made for the enrollment of Annie Wilson as a citizen by intermarriage of the Cherokee Nation, but her status as such is not passed upon at this time, nor is she embraced in this decision.

The evidence shows that the said George W. Wilson was born in the Cherokee Nation, and the preponderance of the evidence shows that he is the child of one George W. Wilson, now deceased, a Cherokee Indian, who is identified on the authenticated tribal roll of 1880. The principal applicant is identified on the Cherokee pay rolls of 1885 and 1886. William and Pearlle Wilson are the issue of a marriage between said George W. Wilson and Annie Sharver, on July 1, 1894.

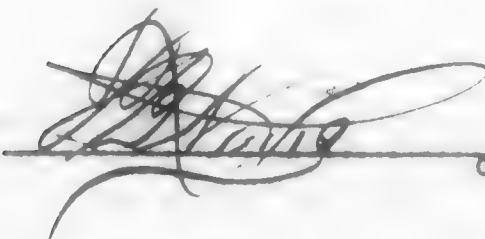
The evidence further shows that the principal applicant, George W. Wilson, has resided in Indian Territory all his life and the residence of the children is considered to be that of their father.

It is, therefore, the opinion of this Commission that George V. Wilson, William Wilson and Pearlle Wilson should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



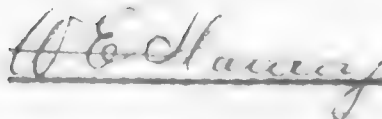
Chairman.



Commissioner.



Commissioner.



Commissioner.

Dated at Muskogee, Indian Territory,

this DEC 3 1904

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of George W Wilson andx for
the enrollment of himself and his minor children, William and Pearl
Wilson, as citizens by blood of the Cherokee Nation.

P R O T E S T.

Comes now the Cherokee Nation and respectfully protests against the decision of the Commission dated December 3, 1904 and asks that the same be forwarded to the Honorable Secretary of the Interior for Review.

The testimony in this case shows that the applicant was born in 1868 or 1869; that his mother was a white woman and there is no testimony whatever that the mother of the applicant and his alleged father were ever married. Although the applicant introduces George W Vann a negro who has a very disreputable record and against whom the Cherokee Nation has introduced testimony before the Commission which shows that he has a very bad reputation, and he attempts to testify of their living together as husband and wife. This George W Vann is a freedman applicant himself being upon F. D. 115 card.

He is well known by the Commission to be disreputable. In addition to George W Vann the applicant introduced one George Gunter who testified in an indefinite way before the Commission when no representatives of the Cherokee Nation was present and when no notice was given to the representatives of the Cherokee Nation.

On the other hand the Cherokee Nation introduced John Paulkner, an old responsible reputable citizen of the Cherokee Nation; he knew George W Wilson the alleged father of the applicant in 1867, 1868 and 1869 and up to his death. He never knew this applicant until a few years ago and not until after George Wilson Sr's death. He never knew George W Wilson Sr to live with the woman by the name of Margaret or to have a child by her nor to he never heard of his having a child by her although he lived right in the same vicinity where he has continued to live up to the present date. Charley Pargo is also introduced and both he and Paulkner make it clear that this woman Margaret said to be the mother of the applicant was a woman of bad repute and Paulkner states that she did have a child down in the settlement but it was reputed to be the child of Tom Langley. Both of these witnesses claim that this woman is of bad repute and so recognized in the vicinity. They give a detailed account of the women who were the wives of George W Wilson Sr and both say that they never heard of Wilson marrying this woman Margaret nor did they ever hear of his keeping her as his wife. Both of these witnesses testify that the applicant has not been a recognized citizen of the Cherokee Nation; that he was never allowed to vote and they never heard that he claimed to be the son of George W Wilson until he made application to be enrolled before the Commission in this case.

Strange it is that this applicant in 1894 never made an effort to get upon the Cherokee Strip pay roll when a large payment of \$268,770 per capita was disbursed to the Cherokee people.

He knew that he had never been recognized previous to that time; he had not been allowed to draw money in 1891 and in fact he never at any time drew money himself and was never at any time personally recognized as a citizen of the Cherokee Nation.

Under the act of June 10, 1896, the Commission had full jurisdiction to entertain this case because then they had a right to go into the question of blood but under the act of June 28th 1898 and the amendments thereto subsequently adopted continuing and enlarging the powers

Congress only contemplated that the Commission should make a roll of the recognized citizens of the Cherokee Nation and not go into the question as to whether or not a person was entitled to be recognized. The Commission had the power to do this under the Act of June 10, 1896; ~~xx~~ their work having ended then it was their duty under the later acts to make a roll of the approved recognized citizens. True this man states in his own behalf that he was permitted to vote but he does not know when or for whom he voted whereas these two old recognized citizens of the Cherokee nation introduced in behalf of the Nation clearly contradict him and the fact that his name ~~appears upon the 1890 and the 1894 pay roll~~ does not appear upon the 1890 and the 1894 pay roll contradicts the fact that he was recognized as a citizen of the Cherokee Nation.

If he had been recognized; if he had been permitted to vote; if he had been allowed the rights of other citizens it is quite evident that he would have contended for his 1894 strip money which was \$265.70; it is argued in behalf of the applicant that he has held improvements in the Cherokee Nation for a number of years past but this is no evidence of his citizenship because the Department well knows that thousands of trespassers have been holding improvements in violation of the treaties and laws of the Cherokee Nation for the past forty years in this country and their removal has been a constant source of annoyance and has been a subject of discussion in every treaty or agreement that has been entered into by and between the Cherokee Nation and the United States since the war and for that matter long prior to that time.

We think it is quite clear that the reputed father of this applicant and Margaret were never married and it is also quite clear that George W. Wilson never recognized this child as his; the applicant himself testifies that he lived in that vicinity when he was six years old and he never returned to that vicinity until after the death of George W. Wilson Sr then how could he have been recognized by George W. Wilson Sr.

The fact is this applicant was never recognized as a citizen of the Cherokee nation and this is further shown by the applicant residing in the Choctaw nation from the time he was six years old until about the time of his marriage. It will be noted that this case does not come within that class of cases of illegitimate children born to persons upon the 1880 roll subsequent to that time because this applicant was born in about 1869; nor does it come within that provision of the Cherokee Law section 692, legitimatizing children by a subsequent marriage of the parents because they were never married in this case. know

George Gunter introduced in behalf of the applicant does not ~~know~~ who applicants father is yet he only knew this woman had a child put in that vicinity and the witnesses on part of the Cherokee nation admit that she had a child.

We submit therefore that the evidence in this case does not warrant the admission of the applicants to citizenship and we insist that the judgment of the Commission should be reversed and the applicants rejected.

Respectfully,

W. W. Hargrave

Per ----- J. C. Hargrave

Attorney for the Cherokee nation.

1151

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRICKNORRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

Cherokee D-1131

Muskogee, Indian Territory,

March 1,

1902.

Mr. George W. Wilson,

Muldrow, Indian Territory,

Sir:-

You are hereby notified that the application of **yourself and two minor children**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 20, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, **that you may deem necessary.**

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to J. V. Breedlove, Yours truly,
Muldrow, I.T.
Register.

Acting Chairman.

Commissioner in Charge.

Cherokee 1131

Muskogee, Indian Territory, November 20, 1902.

J. W. Breedlove,

Attorney for George W. Wilson et al.,

Muldrow, Indian Territory.

Dear Sir:-

Enclosed herewith please find copy of motion of the Cherokee Nation to reopen the case of George W. Wilson et al., applicants for enrollment by this Commission as citizens of the Cherokee Nation, for the purpose of introducing further testimony tending to disprove their rights to enrollment.

You are hereby advised that this case has been set down for further hearing at the office of the Commission, Muskogee, Indian Territory, on the 1st day of December, 1902.

Respectfully,

Acting Chairman.

Register

Enc. M-104

Cherokee 1181

Muskogee, Indian Territory, November 20, 1902.

George W. Wilson,

Muldrow, Indian Territory.

Dear Sir:-

You are hereby advised that the Cherokee Nation has this day filed with the Commission a motion to reopen your application for the enrollment of yourself and children as citizens of the Cherokee Nation, for the purpose of introducing further testimony tending to disprove your rights to enrollment as such. A copy of the motion has been furnished your attorney, J. W. Broadlove, Muldrow, Indian Territory.

You are further advised that this case has been set down for further hearing at the office of the Commission, Muskogee, Indian Territory, on the 1st day of December, 1902.

Respectfully,

Acting Chairman.

Register

Cherokee 1131

Muskogee, Indian Territory, November 20, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:-

You are hereby advised that the motion of the Cherokee Nation to reopen the case of George W. Wilson et al., applicants for enrollment as citizens of the Cherokee Nation, has been granted and the case set down for further hearing at the office of the Commission at Muskogee, Indian Territory, on the 1st day of December, 1902.

Respectfully,

Acting Chairman.

Waukegon, Indian Territory, December 10, 1902.

James W. Breedlove,

Waldrow, Indian Territory.

Wilson case continued to Monday, fifteenth, at your
request by telegram.

Dixie,

Acting Chairman.

Collect.

Cherokee D-1131

Muskogee, Indian Territory, March 4, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that George W. Wilson, who is an applicant for the enrollment of himself and family as citizens of the Cherokee Nation, Cherokee case D-1131, has this day been notified to appear before the Cherokee Land Office of this Commission at Vinita, Indian Territory, on or before March 25, 1903, and introduce testimony as to the status of his wife, Annie Wilson, as a citizen of that Nation.

Respectfully,

Chairman.

GRS

Cherokee D-1181

Muskogee, Indian Territory, March 4, 1903.

J. W. Breedlove,

Attorney for George W. Wilson, et al.,

Muldrow, Indian Territory.

Dear Sir:

You are hereby notified that before the application of George W. Wilson, for the enrollment of himself and family as citizens of the Cherokee Nation will be complete, the Commission will require that testimony be introduced as to the status of his wife, Annie Wilson, as a citizen of said Nation.

This testimony can be introduced before the Cherokee Land Office of this Commission at Vinita, Indian Territory, on or before March 25, 1903.

Respectfully,

Chairman.

ORS

Cherokee D-1131

Muskogee, Indian Territory, March 4, 1903.

George W. Wilson,

Muldrow, Indian Territory.

Dear Sir:

You are hereby notified that before your application for the enrollment of yourself and family as citizens of the Cherokee Nation will be complete, the Commission will require that further testimony be introduced as to the status of your wife, Annie Wilson, as a citizen of said Nation.

This testimony can be introduced before the Cherokee Land Office of this Commission at Vinita, Indian Territory, on or before March 25, 1903.

When you appear please present this letter.

Respectfully,

Chairman.

GRS

Cher. D-1131.

Tahlequah, Indian Territory, November 9, 1903.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:-

There is enclosed herewith the complete record in the matter of the application of George W. Wilson, et al, for enrollment as Cherokee citizens, Cherokee D-1131.

Testimony was taken in this case on March 21, 1903, with reference to the wife of the principal applicant, and as she will probably be included in the decision as an intermarried white, the case is transmitted for your consideration and appropriate action.

Respectfully,

Commissioner in Charge.
Cherokee Land Office.

Enc. C-17.
JOC.

COPY.

Cherokee D-1131.

Muskogee, Indian Territory, December 3, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 3, 1904, granting the application for the enrollment of George W. Wilson and his minor children, William and Pearlle Wilson, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. S-23.

(SIGNED) *Tame Bixby.*
Chairman.

COPY.

Cherokee D-1131.

Muskogee, Indian Territory, December 30, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application for the enrollment of George W. Wilson and his minor children, William and Pearlis Wilson, as citizens by blood of the Cherokee Nation, including the Commission's decision dated December 3, 1904, granting said application.

You are advised that the Cherokee Nation protest against the action of the Commission in this case, a copy of which protest is herewith inclosed.

Respectfully,

Encl. L-39.

Wm. J. *Tamm* *Blair*
Chairman.

Through the
Commissioner of Indian Affairs.

COPY.

Cherokee D-1151.

Muskogee, Indian Territory, December 30, 1904.

George W. Wilson,
Muldrow, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes dated December 3, 1904, granting the application for the enrollment of yourself and your minor children, William and Pearlle Wilson, as citizens by blood of the Cherokee Nation. There has heretofore been furnished your attorney, J. W. Breedlove, Muldrow, Indian Territory, a copy of the record of proceedings and there has this day been forwarded to him a copy of the Commission's decision.

You are advised that the Cherokee Nation protest against the action of the Commission in this case, a copy of which protest has been furnished your attorney.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission has been informed of the same.

Respectfully,

SIGNED: *Jame Birby*

COPY.

Cherokee D-1131.

Muskogee, Indian Territory, December 30, 1904.

J. W. Breedlove,

Attorney for George W. Wilson et al.,

Muldrow, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes dated December 3, 1904, granting the application for the enrollment of George W., William, and Pearlle Wilson, as citizens by blood of the Cherokee Nation. You have heretofore been furnished with a copy of the record of the proceedings.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, together with the record of proceedings had in this case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Encl. L-32.

SIGNED: *Tams Bixby.*
Chairman.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

FHE.

I.T.D. 240,1905.

January 19, 1905.

L.R.S.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

January 9, 1905, the Acting Commissioner of Indian Affairs submitted the case involving the application for the enrollment of George W. Wilson for the enrollment of himself and his minor children, William and Pearlle Wilson, as citizens by blood of the Cherokee Nation, and recommended that your decision in favor of the applicants be concurred in.

You stated in your decision that the evidence shows that said George W. Wilson was born in the Cherokee Nation, and that the preponderance of the evidence shows that he is the child of George W. Wilson, now deceased, a Cherokee Indian, whose name is found upon the authenticated roll of 1880; that the principal applicant is identified upon the Cherokee pay rolls of 1883 and 1886, and that William and Pearlle Wilson are the issue of the marriage between said George W. Wilson and Annie Sharver.

The Nation protests against your decision, claiming that it is shown that the principal applicant's mother, Margaret, now Margaret Matthews, was never married to the alleged father of the applicant George W. Wilson; that this applicant is not the child

of George W. Wilson, who is on the 1880 roll, is illegitimate, and that there is no certainty as to who his father was.

The Department, recognizing the worthlessness of the testimony of the claimants' witness, G. W. Vann, the bad character of Margaret Matthews at the time of the principal applicant's birth, and feeling assured that Margaret Matthews and George W. Wilson were never married, has some doubts in this matter.

Though Margaret Matthews is shown to have been, at the time of the principal applicant's birth, about 1867 or 1868, a woman of bad repute and the associate of different men, considering the fact that she lived with George W. Wilson the alleged father of the principal applicant, and his brother, at about the time of the birth of the principal applicant, the name of the principal applicant, and the placing of his name, apparently at the instance of the alleged father, on the 1883 and 1886 rolls, and certain other circumstances not necessary to mention, the Department affirms your decision.

A copy of Indian Office letter is inclosed.

Respectfully,

Thos Ryan

Acting Secretary.

1 inclosure

Refer in reply
to the following:
Land
504-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, January 9, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated December 30, 1904, transmitted the record of the application for enrollment as citizen by blood of the Cherokee Nation by George W. Wilson for himself and his minor children, William and Pearlle Wilson.

December 3, 1904, the Commission decided favorably to the applicants.

The record shows that the principal applicant, George W. Wilson was born in the Cherokee Nation and that he is the child of one George W. Wilson, (deceased), a Cherokee Indian who is identified on the authenticated Cherokee roll of 1880. The principal applicant is identified on the Cherokee pay rolls of 1883 and 1886 and has resided in the Indian Territory all his life. William and Pearlle Wilson are the issue of a marriage between the principal applicant, George W. Wilson and Annie Sharver, his wife, and the residence of the children is considered to be that of their father.

The Cherokee Nation files a protest against the decision of the Commission which has been carefully considered.

-2-

In view of the record the approval of the Commission's decision favorable to the applicants is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

M.Y.H.

W.

OOP

Cherokee D-1131.

Muskogee, Indian Territory, January 30, 1905.

George W. Wilson,

Muldrow, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 3, 1904, granting the application for the enrollment of yourself and your minor children, William and Pearlle Wilson, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 19, 1905.

You are further advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly advised.

Respectfully,

(SIGNED) *Tams Bixby.*
Chairman.

COPY.

Cherokee D-1131.

Muskogee, Indian Territory, January 30, 1905.

J. W. Breadlove,

Attorney for George W. Wilson et al.,
Muldrow, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 3, 1904, granting the application for the enrollment of George W., William, and Pearlle Wilson as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 19, 1905.

Respectfully,

Chairman: **Tame Bird**

COPY.

Cherokee D-1131.

Muskogee, Indian Territory, January 30, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 3, 1904, granting the application for the enrollment of George W., William, and Pearlle Wilson as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 19, 1905.

Respectfully,

SIGNED. *Tams Bixby*
Chairman.



Cher 10851

Joseph Deal

Trans. from D1832

Cher 10851

Waco on 1834 1011, base 347, 4 000, Goldenwre District;
Notes: "15 0150000";
"10000 1000", base 400, 4 000, Goldenwre District;

THE COMMISSION
TO THE FIVE CIVILIZED TRIBES
FILED
AUG 4 1902

[Handwritten signature]
NOTED

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EDMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Edmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

- Q Are there any other persons for whom you desire to make applica-
tion for enrollment?
A I desire to apply for the following named persons on the 1896
Cherokee roll, their families, and their descendants:

Joseph Deal, page 428, # 592, Goingsnake District;
Note: "In Oklahoma";
Also on 1896 roll, page 741, # 648, Goingsnake District;

E. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. C. Bagwell

Subscribed and sworn to before me this 2 day of August 1902.

[Signature]
Notary Public.

Inducted to the

PAID
APR 20 1904

159/0

Jos. Deal---2.
Sup'l Cherokee 5-1832.

- Q Not related to you? A No sir, no relation.
- Q What did you go up to Kansas for? A Dan said he would do a good part by me if I went up.
- Q You worked for him? A Yes sir.
- Q What was he doing up there? A He was farming.
- Q You worked for him? A Yes sir.
- Q How long? A Better than two years.
- Q Then where did you go? A Then I went to stay with another fellow by the name of Andrew Neal.
- Q Worked for him? A Yes sir, I done chores for him and went to school.
- Q How long did you stay with him? A Two Winters and two Summers.
- Q Then from there where did you go? A To work for Mr. Osborn.
- Q In Kansas? A Yes sir.
- Q How long did you work for him? Just one Spring, up until about the first of July.
- Q That was in '95? A About '95 I think.
- Q Then where did you go? A I went to cutting with a thrashing machine that Fall.
- Q In Kansas? A Yes sir.
- Q Still working for wages? A Yes sir.
- Q You worked during one season? A Yes sir.
- Q Then after that what did you do? A Went to the Cheyenne and Arapahoe reservation.
- Q Went down there to work? A Yes, went down with a fellow by the name of Bill Stunneing. I stayed there little better than two years. Stayed with him all the time I was there.
- Q That takes you up to about 1897; where did you go after that?
- A I come back up to Kansas and worked near Cheney for a fellow by the name of Bill Anderson.
- Q You came back to Kansas about '97? Yes sir.
- Q How long did you stay in Kansas that time? A I worked that Spring for him until he got his corn laid by and then went to cutting with the same machine that I was with before I went down to the Territory.
- Q When did you come back to the Cherokee Nation? A I come through the Cherokee Nation in a wagon. It was the Fall I followed with the thrashing machine.
- Q How many years ago? A How many years has it been?
- Q About 5 years ago, was it? A Yes, I think it was.
- Q Did you come back to stay? A I was intending to stay and I come up through South McAlester and got on the train there. That was during the night and when I got up to Wagoner they didn't wake me up, so went to Parsons and went to work.
- Q Then where to? A On up into Kansas.
- Q Parsons is in Kansas. A Yes sir, I went out and went to harvesting.
- Q How long did you stay in Kansas? A About two years I think.
- Q Did you then come back to the Cherokee Nation? A Yes sir.
- Q When was that? A I was in the Choctaw Nation.
- Q Work there? A Yes sir.
- Q How long did you stay there? A One Winter.
- Q How long have you been living in the Cherokee Nation? A Since I come back this time?
- Q The last time. A It will be two weeks next Saturday since I come from Kansas.
- Q Have you lived in the Cherokee Nation in the last 5 years except that time? A No, I don't believe I have.

Jos. Deal---3
Sup'l Cherokee D-1832.

- Q Where has your home been all this time? A I claim my home to be at Cheney and where I worked around the country.
- Q Cheney, Kansas? A Yes sir.
- Q Did you have a home in the Cherokee Nation? A My home place down here.
- Q Have you any brothers here? A Yes sir.
- Q Where do they live? A One lives in Flint District and one lives in Goingsnake District and Bill, my oldest brother, I don't know where he is.
- Q Have you any farm in the Cherokee Nation? A No sir, all the farm is the home place in Goingsnake District.
- Q The old home place? A Yes sir.
- Q Do you own any part of that? A I am one of the heirs to the place, I think I do.
- Q Did you work it in any way? A I helped a little bit.
- Q Did you get rents from it? A No sir.
- Q Who has been renting it? A My brother John.
- Q How large a place is it? A I judge the farming land on it must be close to 50 acres or 60.
- Q Do you own any of the stock on it? A No, I don't own any stock on it.
- Q Did you ever vote in the elections in the state of Kansas?
- A I never voted for the Governor but I voted for the township offices.
- Q Did you ever consider you were a citizen of Kansas? A No sir.
- Q What is your citizenship? A Cherokee Indian.
- Q Have you always considered yourself a citizen of the Cherokee Nation? A Yes sir.
- Q You have never intended to become a citizen anywhere else, have you? A No sir, never have.
- Q Did you draw your strip payment in 1894? A I didn't but my mother did.
- Q She sent it to you? A She claimed I was under age and she didn't send it to me. I felt that she needed it as well as I did, if not worse.
- Q How much Cherokee blood have you? A I think I have got about -- I don't think quite a quarter. Yes, I guess about 1/4.
- Q Have you always regarded part of that old home place as yours?
- A Yes sir, I have always claimed I was entitled to part of it.
- Q Why have you never made application to be enrolled? A I wrote to my Uncle John and he said my name was on the roll in 1894, and I just neglected it until I heard some time ago if a person didn't look out for his interests --- I am old enough now to settle down and make my home here.
- Q Are you married? A No sir.
- Q This your brother here? (points) A That is my brother.

John Deal, being duly sworn and examined, testified as follows:

- Q Your name is John Deal? A Yes sir.
- Q How old are you? A I am 28 I believe, will be 29 next birthday.
- Q What is your postoffice address? A Stillwell.
- Q You are a Cherokee by blood, A Yes sir.
- Q You are a brother of Joseph Deal? A Yes sir.
- Q Full brother? A Yes sir.

Joe. Deal----4
Sup'l Cherokee D-1832.

- Q Do you remember when Joseph left the Nation? A Yes sir, I was quite small and he was too, but I guess he left the year '90 as well as I remember.
- Q He came back just recently? A Yes sir.
- Q Has he corresponded with you? A Yes sir. I has to him and he has to me one or two times.
- Q You are living on the old home place? A No sir, I did live there but bought me a place in Flint district.
- Q Who is on the old home place? A I have had it rented out.
- Q Renting by the year? A Yes sir.
- Q Who gets the rents? A As long as my mother was living she got the rents and I worked it most of that time. After she died we broke up housekeeping and went to wandering. Finally I settled down and went to the old home place.
- Q When did your mother die? A She died in 1896 or '97, I forget now. Somewhere about there.
- Q Who does this old home place belong to? A I guess to the whole family. I don't suppose any of us have ever claimed it individually.
- Q Your brother Joseph has no other property except his share in that place? A That's all. When he first went off he had a cow and calf. We kept her a while and she finally disappeared.
- Q In your brother's letters to you, did he say anything about coming back? A Yes sir, he wrote to my Uncle and me too and said he was coming home; that is, he was studying about coming home.
- Q When did he come home? A He come home two weeks ago last Saturday.
- Q He has been in Kansas most of the time? A So he claims, yes sir.
- Q You have applied for the enrollment of yourself? A Yes sir.
- Q You never made any application for your brother Joseph? A No sir, I didn't know where he was for the last year or two.

Joseph Deal recalled for further testimony.

- Q How often did you vote in Kansas? Only in the town of Cheney?
- A Yes sir.
- Q How did you come to vote up there? A I voted because Andrew Neal was road overseer and I liked to get him through.
- Q Was he runnin' for office? A For road overseer and I knew he would make a good one.
- Q Did you think you had a right to vote there? A I knew I had to work the roads or pay for it whether I was a citizen or not.
- Q You didn't think you were a citizen of that state, did you?
- A No sir, but I knew I had to work the roads.
- Q Did you ever intend to give up your Cherokee rights at any time?
- A No sir.
- Q You didn't own any property in Kansas, did you? A No sir.
- Q Worked for wages all the time? A Yes sir, day's work.
- Q You knew this Commission was making a roll of citizens. A Yes sir, I found it out last Winter.
- Q You didn't know before that? A No sir, only just that my Uncle and John wrote me. Uncle John told me my name was on the

Jos. Deal -----5.
Sup'l Cherokee D-1832.

roll, the money drawn and mother had got it, and I supposed it would be satisfactory in every way. After I read the newspapers found I had better be looking after it.
Q You are back for good? A Yes sir, I think I will stay for good.
Q You think? A I know I will.

I, May Hudson, state upon oath that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

May Hudson

Subscribed and sworn to before
me this 28th day of April, 1904.

J. P. Ross
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Tahlequah, I. T., April 27, 1904.

IN THE MATTER OF THE APPLICATION for the enrollment of
JOSEPH DEAL as a citizen by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

Being sworn and examined by the Commission, Joseph Deal
testified as follows:

- Q Your name is Joseph Deal? A My name is Joseph Deal.
Q How old are you? A I am twenty-six.
Q What is your postoffice address? A Now?
Q Yes. A Stilwell.
Q Are you a Cherokee by blood? A Yes sir.
Q What is your father's name? A Jake Deal.
Q And what is the name of your mother? A Adelaide Deal.
Q Was your father a Cherokee? A No sir.
Q White man? A Yes sir.
Q Your mother was a Cherokee? A Yes sir.
Q You were born in the Cherokee Nation, were you? A Yes sir.
Q Born in Goingsnake District? A Goingsnake District, yes sir.
Q Your name appears on the 1880 roll of that District? A Yes sir.
Q Where have you been living since 1880? A I put in the larger
part of ten years out here by Wichita, Kansas; Cheney was my
postoffice.
Q When did you go to Kansas? A I went to Kansas in '90.
Q Where did you live from 1880 up to 1890? A I was farming in
the Cheyenne reservation.
Q You were in the Cheyenne reservation? A Yes sir, you mean in
1880?
Q Between 1880 and 1890 I am asking you. A I was in Kansas in '80.
Q When did you go to Kansas? A I went to Kansas in '90 and in
'80 I was in Goingsnake District.
Q Well, where were you in the ten years between 1880 and 1890?
A Well, I was at home here.
Q in the Cherokee Nation? A Yes sir, part of the time.
Q Did you live in the Cherokee Nation all of the time between 1880
and 1890, those ten years? A Yes sir, I did.
Q Who were you living with? A My mother.
Q Your mother dead? A Yes sir.
Q When did she die? A She died in the year - - - it has been so
long I don't remember.
Q Was she dead when you went to Kansas? A Yes sir. No, she
died after I went to Kansas.
Q Now, you were about 12 years old when you went to Kansas, were
you not? A 12 years old?
Q Yes. A I must have been.
Q Did you go there with anybody? A Went there with Mr. Dan Reeves.
Q Who was he? A Where is he?
Q Who is he? A He is a brother of Lum Reeves, lives near the
home place.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
JOSEPH DEAL as a citizen by blood of the Cherokee Nation.

DECISION.

The record herein shows that on June, 30, 1902, F. M. Starr appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of Joseph Deal as a citizen of the Cherokee Nation. Further proceedings were had in the matter of said application at Wahlequah, Indian Territory on April 27, 1904.

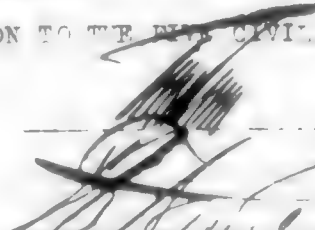

It appears that Joseph Deal is identified on the authenticated tribal roll of 1880 and on the Cherokee Census roll of 1896.

The evidence shows that the applicant was born and lived in the Cherokee Nation until 1890; that he lived outside the limits of the Cherokee Nation, principally in Kansas, from 1890 until April 1904, at which time he returned to the Cherokee Nation.

It appears that he retained an interest in tribal property in the Cherokee Nation during his absence therefrom, and that while he voted in the State of Kansas, it does not appear that he acquired citizenship there.

Following the decision of the Department in Joseph D. Yeargain, et al, I.C.C. 2900 - 1903, it is the opinion of the Commission that Joseph Deal should be enrolled as a citizen of the Cherokee Nation by blood, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats. - 425.), and it is therefore so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman

Commissioner
C. R. Bueshinger
Commissioner

Filed at Muskogee, Indian Territory,

18 JAN 16 1905

COPY.

Cherokee
D 1832

Muskogee, Indian Territory, January 16, 1906

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Thereis herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1906, granting the application for the enrollment of Joseph Deal as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

(SIGNED) *Tame Bixby.*
Chairman

Encl. B 97

COPY.

Cherokee D-1852.

Muskogee, Indian Territory, February 3, 1905.

Joseph Deal,

Stilwell, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1905, granting the application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-23.

(SIGNED) *Tame Bixby.*
Chairman.

Cherokee 1131D

Muskogee, Indian Territory, March 14, 1907.

Annie Wilson,

Muldrow, Indian Territory.

Dear Madam:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for your enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

RPI

Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 25, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

~~Respectfully,~~

Commissioner.

Encl. C-100
LNC

Cher 10852

John B. Johnson

Trans. from D568

Cher 10852

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
John B. Johnson as a citizen by blood of the Cherokee nation.

Cherokee D 568.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
BARTLESVILLE, I.T., OCTOBER 11th, 1900.

IN THE MATTER OF THE APPLICATION OF Samuel Wooster Pettit for the enrollment of John B. Johnson as a citizen of the Cherokee Nation, and the said Samuel Wooster Pettit, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

- Q What is your full name? A Samuel Wooster Pettit.
Q What is your age? A Fifty five.
Q What is your Postoffice? A Powhuska, O. T.
Q In what district do you live? A In Oklahoma Territory; Rains County, Oklahoma.
Q Who is it you want to have put on the roll? A John B. Johnson.
Q He is your brother in law? A Yes sir.
Q Why does he not apply for himself? A His daughter is lying at the point of death with consumption, expecting to die every day.
Q His family is so situated that he can not leave them now?
A Yes sir.
Q How old is he? A Fifty nine.
Q You do not wish to apply for any other member of his family?
A No sir.
Q What is his Postoffice? A Powhuska, O. T.
Q Where is he living? A Payne County, Oklahoma.
Q How long has he lived there? A Sixteen years.
Q Is he on any of the rolls of the Cherokee Nation? A He is on the rolls of the Cherokee Nation.
Q Do you apply for him as a Cherokee by blood? A Yes sir.
Q Give me the name of his father please? A Reece Johnson.
Q Is he dead? A He has been dead since before the Revolution.
Q Give me the name please of his mother? A I think as well as I remember, Penelopa.
Q Is she dead? A Yes sir.
Q How long has she been dead? A Died before the War.

(1880 Roll, Page 545, #968, John Johnson, Illinois District)

(1896 Roll, Page 190, #2615, John Johnson, Cooweescoowee D'st)

- Q Is Mr. Johnson's wife a Cherokee? A Osage. She is a citizen of the Osage Nation by blood; and a citizen of the Cherokee Nation by blood too: They moved away from the Cherokee Nation to the Osage Nation and took up citizenship there.
Q How many children have they? Several? A Five.
Q Are these children enrolled as Osage Indians? A Yes sir.

The applicant applies for the enrollment of his brother in law, ~~xxxx~~ John B. Johnson, who is unable to apply for himself because of the condition of his family, his presence being required by ~~the~~ extreme and continuous illness. John B. Johnson is identified on the rolls of 1880 and 1896 as a Native Cherokee. He is living in what is now a part of Oklahoma Territory, and has for the past sixteen years. His wife and children are said to be Osage citizens.

The application for his enrollment will be taken under advisement, and the result, when finally reached, will be communicated to Mr. Johnson at his Postoffice address.

- Q Has Mr. Johnson maintained any business interests during all this time in the Cherokee Nation? A He has kept up his citizenship by holding property: lands and a farm.
Q Been holding property all the time? A Yes sir.
Q And paying to the revenues of the Cherokee Nation? A Yes sir.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a

-2-
true and complete transcript of his stenographic notes thereof.

R. R. Chavens

Subscribed and sworn to before
me this 11th day of October, 1900.

W. H. H. H.

COMMISSIONER.

B
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 11 1900

[Signature]
A. T. ...

CHEROKEES BY BLOOD AND ADOPTION.

59
 Name *John B. Johnson* Date *OCT 11 1900* 1900.
 District *Illinois*
 Citizen by blood *Yes* Mother's citizenship *Yes*
 Intermarried citizen *No*
 Married under what law *Illinois* Date of marriage *1900*

License *Illinois* Certificate *Illinois*
 Wife's name *Anna Johnson*
 District *Illinois* Year *1900* Page *545* No. *968*
 Citizen by blood *Yes* Mother's citizenship *Yes*
 Intermarried citizen *No*
 Married under what law *Illinois* Date of marriage *1900*
 License *Illinois* Certificate *Illinois*

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
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Dist.	Year	Page	No.	Age

On 11th Nov as John Johnson

Phen 10/16/8

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

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Acting Chairman

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SUPPLEMENTAL: CHEROKEE D - 222.568.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., Sept. 26, 1901.

In the matter of the Application for the enrollment of JOHN B. JOHNSON as a Cherokee citizen by blood.
JOHN B. JOHNSON, being sworn and examined by Commissioner Needles, testified as follows:

Appearances:

Applicant, John B. Johnson, in person.
W.W.Hastings, for the Cherokee Nation.

TESTIMONY ON BEHALF OF THE APPLICANT.

Q What is your name? A John B. Johnson.
Q Are you the John B. Johnson that Samuel W. Pettit applied to have enrolled at Bartlesville? A Yes sir.
Q Any statement you desire to make in regard to this matter you can make it? A I am living in in the Osage Nation in place of Oklahoma, and I also have a farm over here and have been running it ever since I left the Nation; kept my tenant on it.
Q Your post-office is Pawhuska, Osage nation? A Yes sir.
Q You are not a resident of Oklahoma? A No sir.
Q Have you ever been a resident of Oklahoma? A No sir.
Q The statement made by Mr. Pettit then that your post-office is Pawhuska Oklahoma is not correct is it? A No sir.
Q Should have been Osage nation? A Yes sir.
Q Anything further you desire to say in regard to that? A I just want to say that part of it changed.
Q You own a farm in the Cherokee Nation? A Yes sir, never have moved my effects out.
Q You have a family? A Yes sir, they are part Osage; my family are
Q Your wife an Osage? A Yes sir.

Commissioner Needles: This will be filed with D card 568.

M.D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

----- M.D. Green
Subscribed and sworn to before me this October 2nd, 1901.

C. R. Buckenridge

Commissioner

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 28, 1902.

SUPPLEMENTAL TESTIMONY ON BEHALF OF THE APPLICANT, in the
matter of the application of John B. Johnson for enrollment as a
Cherokee citizen.

Appearances:

W.F. Seaver, Esq., attorney for the applicant;
W.W. Hastings, of attorneys for the Cherokee Nation.

L.B. BELL, being sworn by Commissioner Needles, testified
as follows:

BY MR. SEAVER:

Q What is your name and age? A L.B. Bell, about 63.
Q What position are you now occupying? A Attorney for the Cherokee
Nation here before this Dawes Commission, in the Freedmen matter.
Q Were you acquainted with John B. Johnson, the applicant here?
A Yes sir, I am acquainted with him.
Q How long have you known him? A Oh I don't know, I expect from
my first recollection, something like that.; that is, since he was
big enough to be known; well I will say for about 40 years.
Q What has been his citizenship during the time that you knew
him? A Well he was born a Cherokee I think; grew up here as a
Cherokee, lived here as a Cherokee. Voted and exercised all the
rights of a Cherokee has he? A Well he and I didn't live in the
same district, I presume though that he voted all right; he exer-
cised all the rights and he lived here as a Cherokee until he moved
out of the country and went to the Osage Nation.
Q Do you know about what date that was? A No sir, I will say
ten years ago I guess.
Q Do you know whether or not at the time he went to the Osage na-
tion he had farms and other property here that he still retained in
the Cherokee Nation? A Well when he married he lived down here
near Dwight Mission. He had a place down there; I have been
down there at his farm.

BY COM'R NEEDLES: Where; in the Cherokee Nation? A In the
Cherokee Nation.

BY MR. SEAVER:

Q Was that his first or second marriage? A That was his marriage
to the wife he has got now; probably he lived up in what they call
Flint District when he married his first wife.
Q His present wife was an Osage I believe, was she not? A Well his
present wife was Cherokee when I first knew her; she got to be an
Osage afterwards I believe; her mother was Osage, they was
citizens here, lived as a Cherokee, her mother was a Cherokee I
think; that is what they always claimed to be, Pettits; they was
born and raised Cherokees and after the Osages bought that country
I think Mrs. Pettit went in there and was recognized and adopted
by the Osages. That's his mother-in-law.
Q You don't know whether he has maintained all this time farms
in the Cherokee Nation or not, do you Mr. Bell? A No I could not
state positively of my own knowledge. My understanding is he sold
out down here and bought a farm just east of the Osage Nation on
Verdigris; I never was personally at that farm; I have heard him
speak of it and talk about it.
Q That is in the Cooweescoowee District I believe? A Cooweescoowee
District.
Q Up until the time that he went to the Osage Nation there was no
question whatever about his citizenship was there, Mr. Bell? A
No, I think not, none that I ever heard.
NO CROSS EXAMINATION.

JOHN B. JOHNSON, being sworn by Commissioner Needles, testified as follows:

BY MR. SEAVER:

Q Mr. Johnson, you are the applicant here in this case are you, John B. Johnson? A Yes sir.

Q You may state where you were born? A I was born in Coingsnake District, Cherokee Nation.

Q What was your citizenship at the time you were born? A Cherokee I guess.

Q Well we don't want any guesses? A That is what I passed for, Cherokee.

Q Was there ever any question of your citizenship? A No sir.

Q How long did you live in the Cherokee Nation? A I lived there all my life up until 1884.

Q How old are you now? A I am 60 years old.

Q Did you or did you not exercise all the rights of a citizen, voting and drawing money and so on and etc.? A Yes sir, up to the present.

Q Up till the present? A Never have been doubtful, the rights of voting and drawing money.

Q When did you draw the last money? A It was '96 the Old Settler Money was paid wasn't it? (This question addressed to Mr. Hastings.)

Mr. Hastings: Yes, the last Cherokee money was '94.

Q That was the Strip money? A Yes sir, I drew that.

Q I will ask you to state whether or not you have been exercising rights of suffrage in the country here since you have been living in the Osage country, and if so, when you last did so in this country? A You mean voted?

Q Yes sir. A I voted last April the 29th of April on this agreement.

Q Where at? A Bartlesville.

Q Was there any question raised as to your citizenship at that time? A No none at all.

Q How many times have you been married, Mr. Johnson? A Second time.

Q What was the blood of your second wife? A She is part Cherokee and part Osage.

Q State how you come to go to the Osage Nation? A Well I moved out there because my folks wanted to go there. My wife you know claimed a right there and wanted to go, and of course I went with her.

Q At the time you moved there what property did you have in the Cherokee Nation? A I had household goods and a house and one thing and another of that kind.

Q Any farms or anything of that kind? A A farm, I sold my farm down there and bought up here.

Q State where you sold out your farm and where you bought? A I sold out on what they call Sallisaw on the line of Illinois and Sequoyah District in the Cherokee Nation.

Q And then you bought where? A I bought in four miles south and east of Lenapah I believe they call it.

Q In what district is that? A Cooweescoowee District.

Q In what nation? A Cherokee Nation.

Q Now when you went from there to the Osage Nation about what was the value of the property, the farm and other stuff that you left there? A Well about 200 dollars worth of property I had there at the time I sold it.

Q And your farm, about what was it worth? A I sold the farm you know.

Q I mean the one in Cooweescoowee, you didn't sell it did you? A No sir, I have got it yet.

Q Well about what was it worth? A Worth about three thousand dollars.

Q Now state whether or not you ever tried or attempted to obtain a citizenship in the Osage or any other nation other than in the Cherokee? A No sir.

Q Have you ever exercised any rights of citizenship in the Osage Nation? A None at all.

Q State whether you went there to live permanently or what are the facts? A Well I just went there to live for awhile temporarily; I didn't go there to make my home; I claimed my home back on this side.

Q Have you lived back in the Cherokee Nation since that time?

A Yes sir, me and my family come over and stayed six months I think it was, in '94, and we went back.

Q In what year did you first go to the Osage Nation? A March, '84.

Q Now then since that time state whether or not you have kept possession of this farm that you speak of in Cooweescoowee District ~~up until~~ by tenants or otherwise, if so? A I kept tenants on it.

Q State about how often you have been to the place to look after it and collect your rents? A Generally come about three or four times a year.

Q Now then I will ask you to state after June 28, 1898, if you made any disposition under the Curtis Act of any of your property up there; state what you did and state how much you still retained and still own? A I disposed of ~~it~~ all but 160 acres of my farm up where-

Q Up in Cooweescoowee District? A In Cooweescoowee District.

Q To whom did you sell it? A Man by the name of Ben Robins, a Cherokee citizen.

Q State what effects you have, the farm and your effects you have in Cooweescoowee District at this time? A Well I have about 160 acres of farm there and a lot of stock on it, household goods.

Q Have you maintained that all these years? A Yes sir.

Q The fact is that you have sought all the time to keep a citizenship in the Cherokee Nation for yourself? A Yes sir.

BY MR. HASTINGS:

Q Now the ~~the~~ truth is, Mr. Johnson, your ~~name~~ ~~name~~ wife and children are recognized over in the Osage Nation? A Yes sir.

Q You live over there with your wife and children; you state you have got a farm over there in Cooweescoowee District? A Yes sir.

Q You have been living over there now for about 17 years since '84? A '84, yes sir.

Q When you first went out you had a farm down there and sold that? A Yes sir.

Q When did you acquire the one in Cooweescoowee? A I bought that I don't know exactly the time I bought it.

Q Well about when? A It was about , it must have been about '90.

Q When did you sell that near Dwight Mission, that in '84 after when you left? A Yes sir.

Q How much did you ~~get~~ for the Cooweescoowee farm in '90? A I ~~get~~ three thousand dollars for the whole thing.

Q You mean that you gave out three thousand dollars for it, in money? A Yes, in money.

Q It was not a leased place then? A No sir.

Q When did you vote before last April? A Time Chief Mayes was elected.

Q Which Mayes? A Sam Mayes.

Q In '95? A Must have been '95, over here in Cooweescoowee District, at Coeseneck.

BY COM'R NEEDLES:

Q You say you gave three thousand dollars for the land in Cooweescoowee District? A Yes sir.

Q How many acres of land did you have there? A There was about six hundred acres in the tract.

Q Since that you sold it all except this 160 acres? A Yes sir, I did that under the Curtis Act; I was afraid to try and hold it.

BY MR. SEEVER:

Q I will ask you if it is not a fact that you sued the Cherokee Nation for the Strip money for your children and what was the decision of the court? A I got judgment against it in both, the Circuit Court.

BY MR. HASTINGS: I think if they bring that in the judgment ought to be brought. I don't think that is proper.

BY MR. SEEVER: There is no reason why it can't be done this way, and then if the Commission wants the judgment we can produce it.

BY COM'R NEEDLES: The Cherokee Representatives object to that testimony without you present the records, that is the best evidence. Of course the objection will be sustained.

BY COM'R NEEDLES:

Q You stated that you were living in the Cherokee Nation, only temporarily? A Osage.

Q In the Osage Nation? A Yes sir.

Q You call it temporary residence to move there and live there from '85 until now? A '84.

Q You call that temporary residence? A (No reply.)

BY COM'R NEEDLES: This testimony will be made part of the record in this case.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D. Green

Subscribed and sworn to before me this January 31, 1902.

C. R. Beckwith

Commissioner.

J B Johnson
is

Choctaw Nation

Brief of appeal -
lasts atty -

11 1 1000
4 1000

TO THE COMMISSION TO THE FIVE CIVILIZED TRIBES:-

J. B. Johnson

vs.

Cherokee Nation.

Brief of W. F. Seaver,

Attorney for Applicant.

The testimony in this case shows that the applicant moved with his wife and children to the Osage Nation, where his wife was admitted as an Osage by blood some seventeen or eighteen years ago. But that the claimant was not admitted, nor did he at any time try to become a citizen of the Osage Nation, but kept up his citizenship, according to the traditions of his tribe, by owning and contracting property in the Cherokee Nation all of these years, and voted with his tribesmen at different times and as late as the last treaty between the Honorable Daves Commission and the Cherokee Nation, less than two years ago, and several years since he ~~has~~ three thousand dollars for farm improvements in the Cherokee Nation and is holding all of said improvements today that he can legally hold; besides he has even moved on said farm and lived for six months at one time within the past few years and has kept property there all the years that he has sojourned in the Osage Country. But, like Abraham, he has simply sojourned in the Osage country for a season, but has at all times and under all circumstances held to his Cherokee citizenship. Born a Cherokee, by blood, he lived in the Cherokee Nation as a citizen from birth and has continuously exercised citizenship in the Cherokee Nation up to this day, and still is honestly contending for his tribal rights. The law of comity has always allowed citizens of one tribe to live in another, but he neither lost nor gained citizenship thereby. So much so has this been the case that in the town of Muskogee, as the Hon. Commission well knows, there are a number of Cherokee citizens, namely, Mr. F. B. Fite and family, Samuel B. Seavers and family, F. V. Blackston and family and many others who have lived in the Creek Nation

as long as, and even longer than, the claimant has lived in the Osage Nation; and whose names are on the Cherokee rolls without question.

I simply quote these cases to show that it is, and has been all the time, the law and custom of the Cherokees to hold citizenship and property in the Cherokee Nation but reside in some other nation as their business interests may demand.

Besides, where, in the name of justice and mercy will the claimant go, if this Honorable Commission denies him? He has not, and cannot, procure a citizenship in the Osage country. Besides, to deny the claimant is simply to confiscate his Cherokee farm, worth from three to five thousand dollars and to put him out of all nations as an Indian; disqualify him from holding any lands in his tribe and declare that his tribe, where he all these years was claiming Cherokee citizenship, and they were allowing him such citizenship, were mistaken; that claimant was a Cherokee, but not a citizen. Such sophistry would be in gross violation of every law and custom of the Cherokee Nation on citizenship and against the principle of common sense and justice.

We submit that the claimant is justly entitled to be enrolled, and we would respectfully ask that his name be entered on the Cherokee rolls as a citizen thereof.

Respectfully submitted,

W F Seaver,

Attorney for Claimant.

I hereby accept service of a copy of the foregoing brief and argument, this 4th day of June, 1902.

Attorney for Cherokee Nation.

Cherokee D-56.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
John B. Johnson as a citizen by blood of the Cherokee Nation.

DECISION.

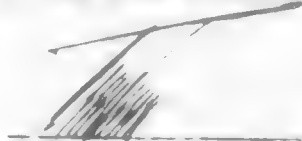
The record herein shows that on October 11, 1900, Samuel W. Pettit appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment of John B. Johnson as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Fort Gibson, Indian Territory, September 26, 1901, and at Muskogee, Indian Territory, January 28, 1902.


The evidence herein shows that John B. Johnson is a Cherokee by blood, was born in the Cherokee Nation, and resided therein until the year 1884, when he removed to the Osage Nation, Oklahoma, and has since resided therein, but it does not appear that his rights to citizenship in the Cherokee Nation have been forfeited thereby.

The evidence further shows that since the year 1884 the applicant has owned and had control of valuable properties in the Cherokee Nation, and he is identified on the Cherokee authenticated tribal roll of 1880, the Cherokee Strip payment roll of 1894 and the Cherokee census roll of 1896.

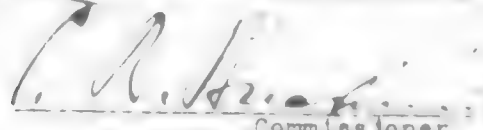
It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Joseph D. Yeargain, et al., (I.T.D. 2900-1903), John B. Johnson should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1-98 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman


Commissioner.

Muskogee, Indian Territory
this JAN 11 1905


Commissioner.

Cherokee D-568

Muskogee, Indian Territory, November 24, 1902.

O. A. Mitscher,
U. S. Indian Agent,
Pawhuska, Oklahoma Territory.

Sir:-

The Commission has heretofore received an application for the enrollment, as a citizen of the Cherokee Nation, of John B. Johnson, aged 59 years, who gave his postoffice as Pawhuska, Oklahoma Territory.

The record shows that his wife and children are members of the Osage tribe of Indians and you are requested to advise the Commission if the said John B. Johnson is, himself, enrolled or recognized as a citizen of the Osage Nation.

Respectfully,

Acting Chairman.

D. C. No. 23471-1902.

Refer to 12/13 in Reply.

DEPARTMENT OF THE INTERIOR.
UNITED STATES INDIAN SERVICE.

Osage Agency, Pawhuska, Okla.,
December 1, 1902.

Commission of the Five Civilized Tribes,
Muscogee, I. T.

Gentlemen:-

Referring to your several letters, dated Nov. 24, 1902, Cherokee D-542, 557, 567, 568, 708, concerning certain parties who have filed applications for enrollment on the Cherokee roll, I have to advise you as follows:

Alice Bisheart, who I think is the wife of James Bisheart is not enrolled on the Osage roll.

I do not know Mack Taylor. He is not on the Osage roll.

Lorinda Pettit is not enrolled on the Osage rolls, nor is she recognized as an Osage. If she is the wife of S. W. Pettit, her children by him are enrolled as Osages.

John E. Johnson is not on Osage roll; his present wife and her children are.

Wellington Rogers, his two minor step-children, Claude J. and Mary M. Ficks, his minor child Ruby L. Rogers, and his wife, Dora E. Rogers are not enrolled on the Osage roll. Wellington Rogers' children by his first wife, who was an Osage, are carried on the Osage roll.

Very respectfully,

O. A. Mitscher,
U. S. Indian Agent.

JVP

COPY

Cherokee D-200.

Muskogee, Indian Territory, January 16, 1905.

V. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1905, granting the application for the enrollment of John B. Johnson as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. S-53.

Tame Kirby.
Chairman.

COPY.

Cherokee, D-568.

Muskogee, Indian Territory, February 3, 1905.

John B. Johnson,

Wahkiak, Oklahoma.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until a name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly advised.

Respectfully,

(SIGNED) *Tamm Dixey*

Incl. 3-21.

Cherokee, D-568.

COPY.

Cherokee, D-86's.

Cherokee, Indian Territory, February 3, 1906.

W. H. Weaver,

Attorney for John B. Johnson,

Muskogee, Indian Territory.

Dear Sir:

There is enclosed herewith a copy of a report of the
Commission to the Five Civilized Tribes, dated January 16,
1906, containing the application for the enrollment of John B.
Johnson as a citizen by blood of the Cherokee Nation.

Respectfully,

Inst. 7-22.

SIGNED: *Tame Little*
Chairman.

1890

1

1515

Cher 10853

Wellington Rogers

Trans. from D708

Cher 10853

~~Commissioner to the Five Civilized Tribes.~~
Claremore, I. T., October 25, 1902.

In the matter of the application of Wellington Rogers for the enrollment of himself, wife and children as Cherokee citizens; he being sworn and examined by Commissioner O. R. Breckinridge, testified as follows:

- Q Give me your full name. A Wellington Rogers.
Q How old are you? A 40.
Q What is your postoffice? A Skiatook.
Q Do you live in Cooweescoowee district? A No sir.
Q What district do you live in? A Osage Nation.
Q Who is it you want to have enrolled? A Myself, wife and two step-children.
Q Are you a Cherokee by blood? A Yes sir.
Q What's your wife? A She's an American.
Q She's a white woman? A Yes sir.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir, always have been.
Q All your life? A Yes sir.
Q How long have you lived in the Osage Country? A Four years I believe.
Q Where did you live before that, in the Cherokee Nation? A Yes sir.
Q All your life? A Right in Cooweescoowee district all my life.
Q What are you doing out there in the Osage Country; living there?
A Farming, making my home there.
Q You are not recognized as a citizen out there? A No sir.
Q Give me the name of your wife? A Dora E.
Q How old is your wife? A 28.
Q When did you marry her? A 29th day of August last.
Q Of this year? A Yes sir.
Q Does she claim only through this marriage to you? A She claims her right through her first husband.
Q She has been married before? A Yes sir.
Q Have you a certificate of her marriage to you? A Yes sir.
The applicant presents a certificate of marriage to his present wife, dated Aug. 29th of the present year, showing that the ceremony was performed by the Rev. E.F. Hill, and it is filed herewith.
Q What was the name of her former husband? A Watson Hicks.
Q When did she marry him? A About 10 years ago I think.
Q Was he a Cherokee? A Yes sir, he was a Cherokee.
Q Is he dead? A Yes sir.
Q When did he die? A He has been dead about three months, I think. They were separated before he died.
Q He died before you married her? A Yes.
Q How old was he when he died? A I don't know his age.
Q Did he live in the Cherokee Nation all his life? A Yes sir, I think he did. He was about fifty years old I believe.
Q Has she a certificate of her marriage to Watson Hicks? A Yes sir. The applicant presents a certificate dated Sept. 21, 1890, showing that his wife and her former husband, R.W. Hicks, were married at the time stated, by the Rev. T. Bass. This is filed herewith.
Q His full name was R. W. Hicks, was it? A I don't know I suppose so.

Witness, Dora E. Rogers, being sworn and examined by Commissioner O. R. Breckinridge, testified as follows:

- Q Give me your full name? A Dora Emma Rogers.
Q You're the wife of this applicant here? A Yes sir.
Q Give me the full name of your former husband. A Robert Watson Hicks.
Q Were you ever married before you married him? A No sir.
Q You have only been married to that husband and this husband? A Yes sir.
Q Was your husband Hicks ever married before he married you? A Yes, but he had a divorce and his other wife had married another man.

Q Have you a copy of the decree of divorce that Hicks got from his other wife? A No sir, I haven't.

Q Do you know where the divorce was obtained? A At Tahlequah.

Q You can write there and get a ~~*****~~ copy of the decree? A I suppose I could.

re-direct.

Q You have been married before this marriage? A Yessir.

Q How many times? A Twice.

Q Both of your former wives were dead before you married this wife? A Yes sir.

Q Give me the names of these step-children? A I can't give their names.

Witness, Dora E. Rogers further testified:

Q Give me the name of your children? A The oldest one is Claude J. Hicks.

Q How old is that child? A Nine years old.

Q Next child? A Mary M. Hicks.

Q How old is she? A Six.

Q Both living now are they? A Yes sir.

1880 roll; page 180, 2287, Wellington Rogers, Cooweescoowee.

1880 roll; page 770, #1062, Watson Hicks, Tahlequah Dist.

1896 roll; page 246, #4149, Wellington T. Rogers, Cooweescoowee.

1896 roll; page 1188, #1591, Watson Hicks, Tahlequah Dist.

1896 roll; page 1188, #1592, Claude Hicks, Tahlequah Dist.

1896 roll; page 1188, #1593, Mary M. Hicks, Tahlequah Dist.

Q When did you separate from your husband, Hicks? A I separated from him four years ago.

Q Did you get a divorce from him? A Yes sir, he got the divorce from me; I didn't get a divorce.

Q What time in the year was it you separated from him? A In November, 15th.

Q Had you separated before that? A We separated before.

Q When did you separate the first time? A Four years ago; he got the divorce two years afterwards.

Q You separated in '96 and he got the divorce in '98? A Yes sir.

Q And then he died three months ago? A Yes sir.

Q On what grounds did he get that divorce? A I don't know; he never notified me at all.

Q It will be necessary for you to send us a copy of that decree of divorce.

Commissioner Breekinridge:

The applicant applies for the enrollment of himself, his wife, and two step-children. He is identified on the rolls of 1880 and 1896 as a Native Cherokee. He states that he has lived in the Cherokee Nation all his life up to four years ago when he moved to the Osage Nation, where he has continued to make his home. He will be listed as a Cherokee by blood. But for the further consideration of his removal of residence as effected by the Curtis Law, his application will now be white carded and kept under advisement for the consideration of the full Commission. The step-children are identified on the roll of 1896. Their father, now dead, is identified on the rolls of 1880 and 1896. A certificate of marriage shows that their father and mother were married in September, 1890, and the mother states that she was never previously married. She states, however, that the father had been previously married. It is her belief that he had procured a divorce from his former wife before her own marriage to him. It appears that she married this husband, Hicks, some ten years ago, and they lived together for a number of years. These children are living now, but their right to enrollment depends upon the legality of the marriage between their mother and her husband Hicks, which depends upon the fact of his having procured a divorce from his former wife. These children will be listed as Cherokees by blood upon a white card to await a copy of the decree of divorce between Hicks and his former

3- W.R.

wife. The applicant's wife, now Dora E. Rogers, is shown as stated, to have married her husband Hicks, a Cherokee, identified on the rolls of 1880 and 1886, in 1880. Her own right to enrollment depends upon proof of Hicks' divorce from his former wife. In the second place, if this be established, she must supply the Commission with a copy of the divorce between herself and Hicks, and the evidence must show that she did not, by proceedings in that connection, lose her right to enrollment. She states the divorce was granted to Hicks; and in the third place, it remains to be seen whether she continued or lost whatever right she possessed by her marriage to her present husband, as his rights may appear in connection with his removal to the Caste Country. She is not identified on the roll of 1886, and the presumption therefore is, that she had lost her rights as an intermarried Cherokee by reason of her separation from her husband Hicks. The final decision of the Commission will be made known to the applicant at his postoffice address.

E.G. Nathanberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he recited in full all proceedings in the above case, and that the foregoing is a true and complete translation of his stenographic notes in said case.

E.G. Nathanberger

Subscribed and sworn to before me this 26th day of October, 1900.

W.D. Miller
Notary Public.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 2 1900

Name *Williamston Cross*

Shelton, S.

District Year *1890* Page *166* No. *2287*

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name *Sara E. Cross*

District Year *1896* Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage *Aug 9 1896*

License Certificate *Filed*

Names of Children:

<i>Claude Hicks</i>	Dist. <i>Shelton</i>	Year <i>1896</i>	Page <i>188</i>	No. <i>1372</i>	Age <i>9</i>
<i>Harry M.</i>	Dist.	Year	Page <i>188</i>	No. <i>1393</i>	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
<i>Robt. W. Hicks</i>	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

E. L. Hicks *Claude Hicks*

1 Question as to residence

*2 Decree of divorce from former husband to be supplied.

*2, 3 & 4 Decree of divorce of Robt. W. Hicks from former wife to be supplied.

F11 E1

OCT 20 1990

~~SECRET~~

101

Col-wm-Scowee
District C. V.

Sept 21 1870

I J. Bass do hereby
certify that I have this
sole raised the rights
of matrimony between
R. W. Dick • and Emer
D. Scowee

Minister of the Gospel
J. Bass
Union
V. A.

Edga Long

No.

Filed

LETTERS OF GUARDIANSHIP

GRANTED TO

DEC 14 1900

Guardian

Minor

Filed the

day of

A. D. 189

Clark

By

Deputy

Recorded the

day of

A. D. 189

Guardian Record A. Page

LETTERS OF GUARDIANSHIP.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
NORTHERN DISTRICT

To all to Whom These Presents Shall Come GREETING

Know Ye, That, whereas *Dora Rogers*

has on this day by the United States Court in Probate in and to the said Northern District of Indian Territory been appointed guardian for *Clara J. Hicks and Mary M. Hicks*

Minor, under the age of *seven and ten* years, by her entering into Bond to the United States of America for the use of said minor in the sum of

Three Hundred Dollars,

and whereas the said *Dora Rogers*

has on this day filed her Bond in such sum to the United States of America for the use of said Minor, which said Bond stands approved by the Court

Now Therefore, she the said *Dora Rogers*

is hereby authorized and empowered to collect and receive all moneys, property and effects that are now or hereafter may become due to or said Wards and to expend the same for their support and education and to do all such other acts and things that may be necessary or proper for the better care and maintenance of said Wards and to do all such other acts and things that may be necessary or proper for the better care and maintenance of said Wards

In Testimony Whereof, *Charles A. Henderson*

Clerk of the United States Court in Probate in and to the said Northern District of Indian Territory, hereunto set my hand and official seal this

14th

day of Oct.

1890

Charles A. Henderson
in Herbert C. Smith

Clerk
Deputy

SUPPLEMENTAL: D 708.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tulsa, I.T., December 14, 1900.

In the matter of the application of Dora E. Rogers for the enrollment of herself and children; as Cherokee citizens; being sworn and examined by Commissioner Needles she testified as follows:

Q What is your name? A Dora E. Rogers.
Q What is your age? A 29.
Q What is your post-office address? A Skiatook.
Q In what district do you live? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A No sir, my husband is the Cherokee.
Q Where is your husband? A There he is. (Indicating man)

WELLINGTON ROGERS, being sworn and examined by Commissioner Needles testified as follows:

Q What is your name? A Wellington Rogers.
Q Have you been enrolled? A Yes sir, at Claremore.
Q What does your wife want here? A Something about her children.

APPLICANT RECALLED:

Q What is the matter with your children? A I have some children by another husband, Hicks.
Q Was Watson Hicks married to Dora and Anna Hicks both? A Yes sir.
Q He was divorced from Dora Hicks, who is that? A That's me.
Q Who is Anna Hicks? A That's the wife he was divorced from before he married me.

^{Rogers}
WELLINGTON ~~Hicks~~, recalled:

Examined by W.W. Hastings:

Q Were you ever married before? A Yes sir.
Q What was your first wife's name? A Mary Clark.
Q Is she alive? A No sir.
Q When did she die? A She has been dead 20 years I guess.
Q What was your second wife's name? A My second wife was Etta Cooper.
Q When did you marry her? A I don't know what year.
Q Is she living or dead? A She is dead.
Q When did she die? A I don't know how long it has been exactly, about 10 years I guess.
Q And who was your third wife? A This woman here.
Q And your second wife was dead before you married her? A Yes sir.

APPLICANT RECALLED:

examined by W.W. Hastings:

Q What is your name? A Dora Rogers.
Q You left your husband Watson Hicks before he died? A Yes sir.
Q He sued you for a divorce? A Yes sir, but he never notified me; I never knew anything about it.
Q He got the divorce? A Yes sir, because he never notified me.
Q The court gave him the divorce all right enough? A I suppose it did, I never knew anything about it until yesterday.
Q Didn't you testify before the Commission up at Claremore that your husband got a divorce? A I told them I heard he got a divorce.
Q You left him a long time ago? A I know I did, because he

wouldn't provide me with a living and I couldn't live with him.

Q The court gave him the custody of this oldest child didn't it?

A No, I didn't say it did, and I don't know it did.

Q And your husband, Watson Hicks, was afterwards sent to the insane asylum? A Yes sir.

Q As long as he was in the insane asylum you never cared for the child? A Simply because I never knew where he was; I never could find the child; I wrote all over the country; I have got the guardian papers for it.

By Con'r Needles:

Q Have you got anything else you want to file? A Here is my guardian papers.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D. Green

Subscribed and sworn to before me this December 17, 1900.

AB. [Signature]

Commissioner.

N 708

20

IN RE

Application for Enrolment of

INFANT CHILD

Ruby Irene Rogers
is a citizen of

Cherokee

Nation

Approved

1901

[Signature]
Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 20 1901

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Ruby, Laura Rogers, born on the 15th day of July, 1901.
Name of Father: Wellington Rogers, a citizen of the Cherokee Nation.
Name of Mother: Emma, Dare, Rogers, citizen of the Cherokee Nation.
Post-office: Bartok, Ind. Terry

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Northern District.

I, Emma Dare Rogers, on oath state that I am 32
years of age and a citizen, by Marriage, of the Cherokee Nation;
that I am the lawful wife of Wellington Rogers, who is a citizen, by
Birth, of the Cherokee Nation; that a Female child was
born to me on the 15th day of July, 1901; that said child has been
named Ruby, Laura Rogers, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

W. M. Stephens
C. H. French

Subscribed and sworn to before me this 22nd day of October, 1901.

John H. French
NOTARY PUBLIC
My Commission Expires May 22, 1904

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Northern District.

I, Rebecca J. Darnell, on oath state that I
attended on Mrs. Emma Dare Rogers, wife of Wellington Rogers,
on the 15th day of July, 1901; that there was born to her on
said date a Female child; that said child is now living and is said to have been
named Ruby, Laura Rogers.

WITNESSES TO MARK

(Must be Two)
Witnesses

Rebecca J. Darnell
W. M. Stephens
C. H. French

Subscribed and sworn to before me this 22nd day of October, 1901.

John H. French
NOTARY PUBLIC
My Commission Expires May 22, 1904

H

C. D-708

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 7, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of
Wellington Rogers for the enrollment of himself wife and children
as Cherokee citizens.

Appearances:

W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 17, 1902, that his application for the enrollment of himself, wife and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 7th day of March, 1902, and that on said date he might appear before the Commission, either in person or by attorney, when an opportunity would be given him to introduce any additional testimony affecting his application. Receipt has been acknowledged of the Commission's letter. The applicant having this day to-wit: the 7th day of March, 1902, been called three times and failing to respond, either in person or by attorney, this case is considered completed, and it is ordered that same be reported to the Commission for final decision based upon the evidence now on record.

I, M.D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M.D. Green

10 Watson Hicks
 vs
 Annie Hicks

Divorce for desertion.

1st C - 2nd c both at once.

Judgement confefed by nefendant and decree of divorce
granted plntff.

Exececutive Office Cherokee Nation.

Tahlequah, I.T.

I, B. W. Alberty, assistant Executive Secretary of
the Cherokee Nation do hereby verify that the above is a true copy
taken from the Docket of the Circuit Court for Tahlequah District
Cherokee Nation, for the May term of said Court 1891: said pocket is
filed in this office and is in y custody.

(SEAL) Given under my hand and the seal of the Cherokee Nation this
the 13th day of December 1900.

B. W. Alberty,
Assistant Executive Secretary
Cherokee Nation.

I the undersigned stenographer to the Commission to
the Five Civilized Tribes do hereby certify that the above and fore-
going is a true and correct copy of the original offered in evidence
in the matter of the application for enrollment of Wellington
Rogers, et al. as citizens of the Cherokee Nation.

Muskogee, Indian Territory,

May 21, 1902

W. S. Kaufman

C E R T I F I C A T E O F M A R R I A G E.
T E R R I T O R Y O F O K L A H O M A.

This certifies that on the 29th day of August A.D. 1900
at Pawnee, O.T. in said County according to law and by authority,
I duly joined in marriage Mr. Wellington Rogers of Skiatook, I.T. and
Miss Dora Scovel of Skiatook, I. T..

That there appeared to be no lawful impediment to such
Marriage, and that the parties were satisfactorially proven to be
the persons described in this certificate, and of sufficient age to
contract marriage.

There were present as witness, Blanche and Jesse Bussey
of Pawnee, O.T.

Given under my hand the 29th day of August A.D.1900.

E. F. Hill, Pastor M. . Church
Ponca City, O.T.

I the undersigned stenographer to the Commission to the
Five Civilized Tribes do hereby certify that the above and foregoing
is a true and correct copy offered in the matter of the application
for enrollment of Wellington Rogers, et al. as citizens of the
Cherokee Nation.

Muskogee, Indian Territory,
May 21, 1902.

W. F. Hill

Watson Hicks
4 vs
Mora Hicks

J. & W. Attys.
Suit for divorce.

9-6-97, 1st calling, 2nd calling 1-30pm

3rd calling, no ans. The defendant
being called 3 times and answered not
judgement was given by default.

Executive Office Cherokee Nation,
Tahlequah, I.T.

I, B. W. Alberty, assistant Executive Secretary of the
Cherokee Nation do hereby certify that the foregoing is a true copy
taken from the Docket of the Circuit Court of Tahlequah District
Cherokee Nation, for September term of said Court 1891. Said
docket has been filed in this office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this
the 13th day of December, 1900.

B. W. Alberty.
Assistant Executive Secretary
Cherokee Nation.

The undersigned stenographer to the Commission to the
Five Civilized Tribes do hereby certify that the above and foregoing
is a true and correct copy of the original offered in evidence in
the matter of the application for enrollment of Wellington Rogers
et al. as citizens of the Cherokee Nation.

Muskogee, Indian Territory,

May 21, 1902.



DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, October 20th, 1902.

In the matter of the application of Wellington Roberts for the enrollment of himself as a citizen by blood; for the enrollment of his wife, Dora E. Rogers, as a citizen by intermarriage; for the enrollment of his step-children, Claude J. and Mary M. Hicks, and his daughter, Ruby L. Rogers, as citizens by blood of the Cherokee Nation.

Supplemental to D-708.

Cherokee Nation appears by J. C. Starr.

WELLINGTON ROGERS, being duly sworn, testified as follows:

Examination by the Commission.

- Q. What is your name? A. Wellington Rogers.
Q. How old are you? A. 44.
Q. What is your post office? A. Skiatook.
Q. Are you a Cherokee by blood? A. Yes, sir.
Q. How long have you been a resident of the Cherokee Nation?
A. All my life up to the last eight years.
Q. Where have you been the last eight years? A. Osage.
Q. Osage Nation? A. Yes, sir; been living there.
Q. Are you living in the Osage Nation now? A. Yes, sir.
Q. What is your wife's name--Dora E. Rogers, is it? A. Yes, sir.
Q. Is she claiming as a citizen by intermarriage? A. Yes, sir.
Q. Claiming through you, is she? A. No, sir; claiming through her first husband.
Q. What is his name? A. Hicks.
Q. Was he a Cherokee by blood? A. Yes, sir; he was a Cherokee by blood.
Q. When was Dora married to him? A. Married him in '90.
Q. How long did she live with him? A. Lived with him between 4 and 5 years.
Q. Did they separate? A. They separated. He is dead.
Q. What was the cause of the separation? A. He didn't provide for her. He left her there four or five weeks without anything to eat.
Q. She quit him? A. She had to quit him; had to go and get work.
Q. You say he is dead? A. Yes, sir.
Q. Did he die before you married her? A. Yes, sir.
Q. How often were you married? A. Married twice.
Q. Were both wives white? A. No, sir; my last wife was Osage.
Q. Yes, sir; ~~my first wife was dead~~ when you married your second?
Q. Was your second wife dead when you married Dora? A. Yes, sir.
Q. Have you and Dora been living together ever since you were married? A. Yes, sir.
Q. You say you went to the Osage Nation about 1894, was it?
A. Well, I expect it was. I don't know exactly. I think it was nine years this fall.
Q. What are you doing there? A. Farming.
Q. That is your home, is it? A. No, sir; I am living there with my children. I have three Osage children.
Q. What are their names? A. Rose, Joseph and John Henry.
Q. Those are children by your second wife? A. Yes, sir.

Q. Who is Claude J. Hicks? A. That is my wife's child by her first man.
 Q. Mary is also your wife's child by her first husband?
 A. Yes, sir.
 Q. Have they been living in the Cherokee Nation-- --
 A. They have been living in the Cherokee Nation all their lives.
 Q. They are living in the Osage Nation, aren't they? A. No, sir; living in the Cherokee Nation with their mother.
 Q. Who is Ruby L. Rogers? A. We have lost her.
 Q. When did she die? A. She died the 17th of last month.
 Q. When did you marry Dora? A. We have been married two years, I think; two years this last August.
 Q. Married over in the Osage Nation? A. Yes, sir.
 Q. Your wife has always lived in the Cherokee Nation since your marriage? A. Yes, sir.
 Q. And this child also, Ruby? A. Yes, sir.

BY MR. STARR:

Q. You have made the Osage Nation your home since you have been there? A. Yes, sir. I been there.
 Q. The Osage Nation is in the Territory of Oklahoma?
 A. Yes, sir; I guess so. I am in the Cherokee Nation pretty nearly as much as I am in the Osage.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 16th day of December, 1902.

B. A. Jones
 Notary Public.

E 708

32

IN RE
THE DEATH OF

Ruby L. Rogers
a citizen of the

Loheroke Nation.

Approved *Sept 19 1903*
C. N. Hutchinson
COMMISSIONER

19 1903

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Ruby L. Rogers
a citizen of the Cherokee Nation, who formerly resided at or near
Shiatook Ind. Ter., and died on the 17 day of
September 1903

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

Northern District.

I, Wellington Rogers, on oath state that I am 43
years of age and a citizen, by blood of the Cherokee Nation;
that my post office address is Shiatook Ind. Ter.; that I am
the father of Ruby L. Rogers
who was a citizen, by blood of the Cherokee Nation;
and that said Ruby L. Rogers died on the 17 day of
September 1903.

WITNESSED TO MARK

Wellington Rogers

(Witnesses) {

Subscribed and sworn to before me this 19 day of September 1903

John H. Kiser
Notary Public

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.

District.

I, _____, on oath state that I am _____
years of age, and a citizen, by _____ of the _____ Nation;
that my post office address is _____ Ind. Ter.;
that I was personally acquainted with _____
who was a citizen, by _____ of the _____ Nation;
and that said _____ died on the _____ day of _____

WITNESSED TO MARK

(Witnesses) {

Subscribed and sworn to before me this _____ day of _____

1903

Notary Public

Cherokee D 708.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CHEROKEE TRIBES.

In the matter of the application for the enrollment of Wellington Rogers, et al., as citizens by blood of the Cherokee Nation.

---:---

POSITION.

---:---

The record in this case shows that on October 25, 1900, Wellington Rogers appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment of himself and step-children, Claude J., and Mary M. Hicks, as citizens by blood, and his wife, Lora E. Rogers, as a citizen by intermarriage, of the Cherokee Nation, but as the status of intermarried citizens is not at this time fixed, the rights of Lora E. Rogers to enrollment as an intermarried citizen of the Cherokee Nation, will not now be passed upon. Subsequently, an affidavit was filed with this Commission, and made a part of the record in this case, showing the birth of Ruby L. Rogers, on July 15, 1901. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, December 14, 1900, and at Muskogee, Indian Territory, October 20, 1902.

The evidence herein shows that the principal applicant, Wellington Rogers, is a Cherokee by blood, is identified on the Cherokee authenticated tribal roll of 1880, and, except as below noted, has continuously resided in the Cherokee Nation all of his life. The minor applicant, Ruby L. Rogers is the child of the said Wellington Rogers, was born since 1880, and continuously resided with her parents until her death in September, 1902.

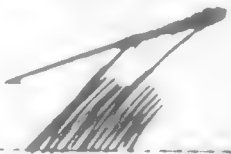
The evidence further shows that one Watson Hicks, a Cherokee by blood, is the father of the minor applicants, Claude J., and Mary M. Hicks; that he is identified on the Cherokee authenticated tribal roll of 1880, and continuously resided in the Cherokee Nation until his death in 1900. It further appears that the said minor applicants, Claude J. and Mary M. Hicks, were born since 1880, and have resided in the Cherokee Nation since birth.

-2-

The evidence further shows that since the year 1896, the said Wellington Rogers has resided in the Osage Nation, but it does not appear that he has become a citizen of said Nation, and it is not considered that his rights to citizenship in the Cherokee Nation have been forfeited thereby.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Joseph L. Yeargain, et al., (I.T.D. 2900-03), Wellington Rogers, Ruby L. Rogers, Claude J. Hicks and Mary W. Hicks, should be enrolled as citizens of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman



Commissioner.



Commissioner

Muskogee, Indian Territory,
this JAN 13 1905

Department of the Interior, Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

The Records of this Office show that prior to October 31, 1902 applications were received by the Commissioner to the Five Civilized Tribes for the enrollment as citizens by intermarriage of the Cherokee Nation of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Sovers	19	John Whisenand	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largent	508
Walter A. Adams	62	Joseph P. Willis	584
Adela B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ussie Ann Smith	206	Maggie Patterson	804
Sarah M. Perry	208	Martha M. Bruner	832
Gertrude Eldora	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	253	William H. Burrow	967

Mary Fetter	967	Mary Morton	1554
Esther M. Fetter	985	Amey W. Fetter	1573
Edw. F. Fetter	985	Chas. H. Fetter	1610
Edw. N. Fetter	989	Mary M. Fetter	1612
Sam. B. Fetter	1005	Edw. F. Fetter	1614
Edw. F. Fetter	1011	Edw. F. Fetter	1663
Edw. F. Fetter	1011	Edw. F. Fetter	1709
Sarah F. Fetter	1090	Amey C. Fetter	1717
Norman S. Fetter	1090	Amey Fetter	1722
Stuart Hogg	1094	Edw. Fetter	1726
David L. Scott	1099	Geo. C. Fetter	1727
James C. Taylor	1111	Amey Atkinson	1731
Roxie Shepard	1128	William J. Maxwell	1734
Robert G. Elgin	1136	James D. Alexander	1745
William Hall	1137	Walter F. Miles	1769
Mary Ella Fetter	1141	Edw. Fetter	1781
Margie J. Key	1149	Edw. F. Fetter	1796
Joseph M. Correll	1167	Edw. M. Fetter	1802
Edw. R. Fetter	1175	Robert C. Redington	1804
George F. Norton	1177	Mary A. Maxwell	1808
Mabel D. Thompson	1217	Robert Dale	1811
Charles M. Thompson	1264	George Fetter	1816
Flora Cathie	1265	Genevra Pool	1817
William H. Norton	1275	Mollie Crossland	1822
Olivia Bengt	1276	Edw. Bengt	1828
Dollie Wilson	1278	John H. Welch	1847
Moses Bell	1279	Edw. P. White	1884
Sarah Fleetwood	1290	Edw. P. Green	1887
Rosa L. Fargo	1296	Charles Rosser	1898
William M. Orver	1333	Edw. Alton	1913
Andrew J. Couch	1340	Harriet Fetter	1920
Lena Hyles	1347	Bob Trappold	1925
Mary M. Myler	1350	Edw. C. Castle	1937
Mary F. Taylor	1368	John W. Goldrup	1954
Polly Ann Bengt	1369	Sarah Young	2018
Margaret Moton	1385	Nancy A. Coleman	2049
Minnie McKinney	1390	James N. Whisenhunt	2118
Nellie Seibert	1418	Henry Stephens	2157
Lawrence G. Faulkner	1433	Amey F. Green	2459
Sarah A. Holt	1449	Roscoe F. Fetter	2172
Joyette Fetter	1457	Edw. J. Meadows	2192
Ellen Seibert	1508	Edw. Green	2215
Charles W. North	1509	Sarah Crutfield	2224
Edw. Seibert	1511	Henry F. Fetter	2251
Edw. Green	1513	Sarah Green	2256
Otto Fetter	1517	John A. Mathe	2261
Shas A. Seibert	1529	Henry C. Fetter	2271
Edw. F. Fetter	1530	Mary S. Green	2302
Edw. H. Fetter	1540	Edw. A. Fetter	2312
Mary A. B. M. K.	1550	Edw. B. Fetter	2320

Lafayette D. Knudsen	3278	William A. J. Trotter	3257
Pearl V. Sisson	3279	Albert P. Gaskarth	3298
Nancy J. Sevier	3280	Arta B. Martin	3307
Melba Hart	3285	Willie Brown	3344
Dora Savers	3371	George B. Houghgill	3345
William F. Jones	3501	William Lurie	3377
Sarah I. Martin	3502	Julia M. A. Russell	3386
William J. Shoemaker	3506	Andrew J. Smith	3393
Maud Baldridge	3511	William N. Blakemore	3396
James L. Townsend	3513	Lizzie Denton	3417
George L. Morgan	3568	Belle Hudson	3445
Andrew A. Brown	3575	Thomas S. Heady	3437
Louis K. Fair	3623	William M. Roschotogt	3444
James L. Mitchell	3644	Madison G. Hawkins	3467
Martha E. McNair	3659	Japhat I. Ellis	3491
Millard F. Eggleston	3668	Emma McAfee	3543
Elisha M. Gray	3686	William T. Hunt	3570
Jessie M. Ballard	3691	Maria F. Choate	3580
Annie Maves	3798	Philip Donohoe	3581
Belle Sickler	3809	Fred L. Kelley	3593
James P. Riley	3825	Annie Herod	3594
William Broadus	3854	Maggie A. Fields	3615
William A. Martin	3865	Lou Payne	3616
Joseph Q. Buchanan	3888	Frederick W. Strout	3692
Marcellus L. Baker	3905	Andrew L. McCausli	3713
Etta M. Hill	3915	Sarah Drutrower	3731
John R. Smith	3922	William P. Cable	3758
Ira W. Wallen	3926	Robert L. Madison	3761
John B. Laurence	3959	Mariah McDowell	3795
Lula O. Hutcheon	3961	Elizabeth R. Thornton	3811
Bell L. Muskrat	3975	Dorothy A. Wilson	3841
Eliza O'Field	3977	Charles F. Covey	3868
Margaret Snagee	3993	Emsey M. Williams	3886
Winfield S. Nance	3997	Mary J. Wolfe	3889
Benjamin F. Kelley	3910	Lathan Lombard	3891
Melba Daugherty	3939	Menjah P. Haynes	3897
Charles H. Leatherman	3943	Annie L. Waghfield	3903
Alice A. Edwards	3100	Mary Fields	3907
Dorinda Ador	3106	William W. Dudley	3944
William R. Gray	3118	Monie M. McLaughlin	3950
Dora B. Caulk	3143	Henry B. Lindsey	3978
Jesse M. Gullman	3161	Wilbert H. Parkison	3999
Martha E. Garrett	3162	Seth R. Hall	4011
Artie E. Large	3164	Wiley Hanna	4016
Andrew A. Kelley	3191	Martha M. Woods	4093
Anna B. Ryne	3193	Lizzie Gray	4117
Ehza Henderson	3198	Nancy C. Carter	4131
David E. Jenkins	3212	Annie I. Kenney	4165
Lizzie Falling	3233	William H. Ward	4169
Robert L. Payne	3252	Nannie Brewer	4189

Nancy J. Kinnear	4225	Roxie E. Ketchum	4623
Sylvia E. Bell	4226	Emma Leach	4626
Isaac H. Jordan	4227	James L. Wain	4632
Charles Park	4244	James M. Moore	4633
Dora Frenchman	4262	James E. Moore	4634
James R. Fugate	4275	James E. Moore	4641
Maud Adams	4277	Alva G. Moore	4642
Elizabeth Black	4284	Alva R. Moore	4644
Anna Thorliffon	4291	John D. Moore	4649
Robert T. Morrison	4294	Samuel Moore	4650
Perley Israel	4295	George C. Pool	4652
William A. Long	4304	Mont C. Prazier	4653
Mollie Swannock	4319	Frank J. Maxberry	4656
Frances Guess	4324	Charles W. Moore	4660
Allen H. Gibson	4327	George D. P. Pendergast	4661
John McFall Jr.	4343	Alva H. Pendergast	4662
Albert W. Fitzsimmons	4360	Thomas C. Moore	4668
George S. Ford	4386	Sadie Adison	4669
Quinn Carr	4387	Elizabeth E. Burges	4671
William A. Powell	4390	Ladayette Breeden	4673
Austin Haslev	4400	James M. Bohig	4676
Anna Bible	4411	Francis A. Nelson	4681
Elizabeth Riley	4428	John C. Smith	4689
John P. Sudderth	4449	Rufus S. Stewart	4691
Anderson Keen	4450	John L. Haddock	4694
Ida M. Adams	4451	Maggie O. Walker	4695
Martha J. Randall	4457	George W. Talbot	4698
Mollie Conner	4477	Mary Miller	4700
Jane McGhee	4491	Henry C. Walker	4707
Jennie Riley	4525	Mattie E. Hill	4760
Hannah Randall	4528	Anna A. Bible	4772
Charles W. Childers	4542	Katie Coker	4785
Nannie B. Riley	4543	John Creek	4801
John W. McDaniel	4544	Ruby R. Bean	4804
Minnie Armstrong	4548	William J. Dodson	4836
Ada Chouteau	4549	Blackburn Reed	4882
Mary Thompson	4571	Viola Lowther	4891
Ota Armstrong	4593	William B. Ritchson	4910
Mary Spencer	4594	Henry D. McDonald	4950
Clarkson F. Woody	4603	Della M. Dyer	4956
James M. McConnell	4604	Dorothy Rathgaber	4991
Annie E. Coker	4605	Elic McCay	5096
Jennie Long	4606	Henry M. Fyler	5100
Julia Gilstrap	4607	Alva L. Wafford	5101
Laura E. Smith	4608	Nancy Moran	5137
Annie Nicholas	4609	Elic S. Van	5140
Minnie R. Taylor	4611	Walter W. Wain	5144
Mary E. Rogers	4614	Bessie M. Scott	5145
Emma Downing	4615	May Humphreys	5207
William Steere	4619	Dorothy Burges	5235

Nancy B. Benge	5236	William A. Polson	5613
John F. Benge	5239	Paulina P. Pitcher	5614
Hansford B. Benge	5240	Charley Headrick	5615
Amos C. Benge	5241	William N. Stinson	5616
Walter H. Benge	5242	Lemora A. Henry	5621
John F. Benge	5266	Elbe M. Adams	5622
Anna S. Benge	5269	John H. Stamp	5624
Russell H. Benge	5278	Thomas B. Dickson	5625
Henry C. Benge	5278	Minnie Henry	5628
James H. Benge	5279	Thomas J. Simpson	5629
Melba B. Benge	5287	Cap L. Lape	5630
John R. Goodie	5356	Reuben L. DeLozier	5631
Charles Horton	5390	John Heape	5640
James W. Goldman	5417	Perry G. Brock	5645
Don Cox	5425	Mary J. Newcomb	5650
Nannie G. Alberty	5438	George W. Sengel	5660
Sallie Ward	5455	Martha A. Park	5666
William H. Sutherland	5484	Zelda C. Mills	5674
Lizzie Hm	5487	Lizzie Rogers	5675
Curtis B. Essex	5489	Emma Pigeon	5676
Eda Layle	5493	Nellie Bluejacket	5677
Lucata Layton	5494	Lucy Bacon	5679
Eleuter D. Miller	5496	Thomas B. Wood	5681
Leahelut M. Arnold	5498	Asa W. Simerson	5683
Stella Hen	5499	William J. Kuhn	5686
William L. Ornd	5506	Elsie Couch	5688
John M. Sharp	5509	William H. Robinson	5692
John F. Davis	5514	Rachel Washington	5693
Sarah F. Downing	5518	Sarah B. Blackwood	5700
Samantha C. Glas	5524	John R. Johnson	5701
Harry Jones	5525	Dennis W. Smith	5702
Aggie Pons	5532	William H. Chesnut	5705
James W. Hallford	5535	William H. Durham	5707
Phoebe Coker	5537	Albert B. Buckmaster	5710
Anthony K. Douglas	5538	Mabel Crutchfield	5730
Joseph H. Johnson	5541	Joseph S. Layne	5731
Harvey O. Rags	5547	Lena Bell	5737
Alice Glass	5553	Juan N. Corn	5748
Addison Reeves	5566	Robert N. Crafton	5750
Alice Coats	5572	Benjamin F. Coffee	5756
John K. L.	5575	Frank McSpadden	5760
William R. Greer	5576	Charles D. Pendleton	5775
Ross M. Seydler	5581	Harden H. Green	5776
Nate P. Gray	5587	Emma J. Ward	5778
David H. Greer	5599	Robert C. Fuller	5781
Anna R. C. Gray	5600	Henry I. Exline	5796
John M. Kingle	5601	Eda Waly	5802
George S. Searge	5610	Richard L. Lyle	5815
Herb Westphall	5611	Edward Lyle	5816
Emma H. Roney	5612	John F. Woodworth	5829

Horace H. Hubbard	5842	George C. Dunfield	6031
William R. Sartre	5847	Anelia Reese	6033
Joseph A. Loomis	5848	Alexander West	6036
William H. Hester	5846	John Loomis	6037
Joseph Lott	5841	Elmer G. Langley	6038
Levi M. Young	5852	John L. Ham	6042
Mary C. Burre	5853	Mary L. Jordan	6048
Matilda Thompson	5861	John W. Bradshaw	6076
William W. Young	5872	James L. Dean	6079
Earley L. Ellis	5874	Amanda J. Thompson	6082
Rosa B. Alberty	5877	Malissa Hubbard	6089
Sarah Cannon	5879	Jane Bengt	6111
Minnie Beck	5887	John D. Ryals	6113
Jack H. Merchant	5888	John C. DeLozier	6117
John D. Merchant	5889	Jessie Willis	6118
Sarah E. Gharndes	5894	Mary A. Clark	6124
Jerry Young	5906	Mary J. Tipton	6126
James H. Bricker	5916	Laander Newton	6136
Mary Hicks	5919	William A. Qualls	6138
George W. Weems	5922	Henderson B. Thomas	6144
Albert Crum	5923	Hugh T. Watkins	6163
James M. Jones	5932	Nancy Keys	6172
Alfred W. Shelly	5935	Berry Hutches	6186
John M. Stratton	5936	Ed Parker	6189
Waddie Hudson	5937	Sarah E. Shaw	6194
Robert C. Johnson	5939	Julia Keys	6211
Mary T. Thompson	5941	Boon J. Grey	6214
Edith A. Parris	5943	John Grubb	6216
Addie Hubbard	5949	William M. Costephens	6230
John A. Lowry	5962	Jane Bean	6232
John R. W. Brantley	5963	Lillie I. Taylor	6236
James T. Carroll	5964	Abbie B. Adair	6239
Christopher F. Jordan	5965	Mack C. Watkins	6246
Minerva E. Stover	5966	Robert W. Murray	6261
John W. Twilley	5967	John G. Petty	6269
Joseph W. Mounce	5970	Lucinda Poorboy	6279
Cornelius P. Potter	5971	Sarah Mayes	6286
Amanda C. Thompson	5972	Henry W. Pyentt	6300
John M. Rusk	5976	Isaac A. Wilson	6308
Harrison L. Hughes	5978	John T. Hall	6310
Silas B. Dildine	5983	Edward L. King	6315
Lewis M. Payne	5985	Katie Still	6325
Nancy Benner	5988	Emmer Carhle	6338
Sarah F. Selvidge	6002	Bird Webster	6347
Posy F. Buckner	6005	Lattie Morris	6353
John A. Moreland	6010	Leonard Lee	6357
Alice Welch	6015	James R. Miller	6362
Mary C. Thompson	6022	James Brackett	6370
Ida Beck	6029	Nora Allen	6371
William R. Little	6030	John T. Washington	6373

John J. Baker	6713	John J. Lee	6717
William H. Baker	6716	Robert H. Lops	6723
Edgar W. Baker	6784	John B. Lyons	6745
George A. Baker	6785	Robert B. Barrett	6744
Marion C. Baker	6787	Elizabeth S. Baker	6745
William A. Baker	6789	William T. Neff	6747
William O. Baker	6791	William R. Scott	6751
David W. Baker	6796	Edward L. Baker	6770
Alfred C. Spence	6797	Margaret Keeler	6779
Larry N. White	6799	David A. M. Donald	6783
Lillie M. Adams	6799	Robert B. Willis	6785
Mark L. Matheson	6728	Daniel H. Hartsard	6787
Ida L. Wilson	6731	Marion R. Tadpole	6801
George L. Mott	6731	Margaret A. McSpadden	6811
Ulysses S. Reeve	6733	Sarah L. Parkkiller	6824
Daniel A. Smith	6737	Corie Twint	6845
Henry J. Daynes	6740	Marion M. Welch	6846
Sarah Adams	6752	Corie Gault	6850
Ida L. Wilson	6753	John S. Hyatt	6853
Mary L. Taylor	6759	Jonathan K. Lyner	6855
Catherine Henson	6768	Robert R. Miller	6859
Charles C. Fitzgerald	6771	John C. Craig	6872
Mary L. Campbell	6776	James C. Johnson	6876
Columbus N. Lott	6778	George W. Ware	6897
Marion W. Lott	6780	John B. DeChargue	6901
Myrtle Ward	6784	Isabelle L. Hartness	6913
Belle M. Lott	6799	James L. Lott	6961
Martha L. McLean	6808	John M. Barr	6965
Mary A. Brown	6817	Red L. Lott	6975
Marion M. Balfow	6830	Isabelle Henshaws	6976
Mellie Mayfield	6840	John A. Smith	6979
Sarah Blevins	6841	Robert C. Darnell	6988
Frank Powell	6842	Robert M. Mitchell	7004
Georgia Jackson	6846	William Henry Reeve	7005
Leonard S. Simpson	6849	James Pyle	7009
Almira Usrey	6860	Willie Hilderbrand	7015
James McInerney	6861	Alfred M. Roberson	7031
Laurie Gault	6878	Charles Morris	7043
Sadie A. Mayfield	6880	Margery J. Trent	7051
Silas A. Brown	6881	John H. Keith	7078
William S. Moore	6885	Katie L. Ratley	7080
Emma L. Thompson	6889	Edna Patrick	7081
Lydia McDonald	6895	Nancy Martin	7090
David W. Lott	6895	Robert B. Harris	7094
George R. Hart	6903	Samuel Brown	7100
Paula Phillips	6912	William H. Turner	7101
John L. Darnell	6918	Florence Mayes	7104
William W. Lott	6989	Maggie McCoy	7112
Lillie B. Blevins	6994	Mary Belle Cordry	7113
Mary Lott	6995	Berquinn Hunter	7119

Edna M. Allen	7148	Robert B. Collins	7556
Edna A. Allen	7146	Nancy L. Brown	7559
Edna L. Hays	7147	Mary B. Walkingstick	7642
Edna L. Ziegler	7149	Robert T. Kellum	7653
Edna M. N. Allen	7155	Mollie Mutter	7797
Mary L. Allen	7158	Martin Gatty	8006
Alma West	7159	Mark Adcox	8015
Edna M. Allen	7161	Ed. Harmon	8016
Edna M. Allen	7163	P. McCoy	8417
Edna L. McChesney	7171	R. C. Latham	8903
Bonnie L. Allen	7176	Anna Jackson	9034
Alma Allen	7180	Margaret L. Langer	9032
William L. Allen	7184	Ella M. Da	9266
Edna B. Perry	7191	Nora Crapo	9289
Philip Sherr	7210	Margaret Harmon	9378
Hester A. Miller	7212	Mary B. Langlois	9438
Mary C. B. Langer	7213	Ella G. Allen	9439
Edna Allen	7217	William M. Allen	9444
William L. Allen	7218	Dwight O. Scott	9446
Edna M. Allen	7225	Hattie Allen	9447
Edna C. Allen	7231	John Carter	9449
Edna Robinson	7263	Thomas J. Day	9451
John W. Allen	7267	Clara M. Bondner	9453
Mary A. Baker	7271	Mary L. Keys	9454
Samuel L. Jackson	7273	John G. Answorth	9456
Henry W. Allen	7282	Mary J. Christy	9460
Sarah Roe	7291	Mahinda Seabolt	9462
Mary S. Smith	7322	Mary Compton	9464
John A. Martin	7323	Mollie P. Mulkey	9465
Myrtle Robinson	7330	Andrew Brammer	9467
Allen L. Buckner	7331	James I. Flippin	9471
James L. Allen	7350	William Bird	9473
Eljah Johnson	7351	Mollie C. Forbes	9476
Mary L. Kneeling	7360	William H. Thompson	9478
John C. Burr	7367	Mollie Devine	9481
Kinsay Sapsucker	7378	Mary P. Guthrie	9482
Sarah J. Johnson	7394	Detlev N. Laerskov	9484
William I. Branan	7409	Nannie Cowart	9485
Wyatt T. Brady	7412	Leona Catcher	9489
Lena O. Holdeman	7413	Alexander B. Clapp	9502
Mary L. Hammingway	7420	Tennie Sanders	9503
Bertie A. Allen	7425	Virgil A. Wiltshire	9505
Robert J. Lyner	7426	Joshua K. Carr	9510
Edna B. Allen	7434	Herbert Kneeland	9518
Myrtle Wolfe	7435	Hugh L. Hope	9520
Mary Breyer	7479	Thomas L. Ritter	9522
Sarah Ketcher	7488	Marta Baldridge	9529
Edna L. Allen	7512	James R. Fox-Heater	9535
Mary Allen	7544	Maud Latham	9539
Robert O. Allen	7549	Belle Bryant	9542

William F. Brown	9559	William G. Brown	9879
George F. Watson	9552	John B. Deloy	9881
Esther H. Harris	9553	Patrice Thompson	9882
John H. Johnson	9560	Constance W. Watson	9883
John B. Rogers	9561	Margaret Crutcher	9884
Mary Jane Thomas	9562	Mose L. May	9889
John L. Felt	9563	Sarah L. Rogers	9891
John M. Cox	9566	Stephen Dumas	9892
John D. Smith	9568	Adrian D. Sleeper	9895
William F. Cox	9572	William A. Macfarlane	9896
William Rogers	9577	John H. Horner	9904
John M. Small	9582	Howe L. Rogers	9905
John L. Newberry	9583	William Rust	9912
Robert L. Eaton	9587	George W. Fisher	9916
Robert L. Gentry	9590	William H. Harris	9920
John C. Barker	9591	Edith B. Plancher	9935
John V. Greenwald	9593	Carrie A. Carter	9936
Henry H. Lee	9596	Eucenia Spragg	9937
John G. Green	9598	Lila L. Hall	9939
Alva A. Hellock	9599	John W. Harris	9949
William C. M. Robinson	9600	Hannah Ripper	9942
Woodrow Hadley	9612	John J. Gough	9945
William L. Gregory	9613	Yonah L. Waybright	9946
Charles M. Key	9616	Leona J. Taylor	9947
Ray O. Reed	9618	William M. Evans	9948
Joseph L. Ireland	9623	William L. Porter	9949
Frederic C. Smith	9625	Mar L. Chamber	9950
Charles M. Cox	9630	Albert Steyers	9954
Ones S. Skidmore	9634	Henry Kiefer	9955
William H. Humbley	9635	Sarah Rose	9956
Thomas A. McDonald	9636	Zeno M. Cox	9964
Annie Sanders	9638	Jerusa L. Blair	9965
Mark H. Martin	9640	Elms Kyle	9991
Mary Ward	9653	Ida Cushman	9992
George Givens	9658	James W. Fleming	9994
Pheney Poorboy	9660	Samuel Holmes	9995
Charley Kiper	9671	Walter H. Talley	9997
Andrew J. Sinder	9672	Hannah J. Miller	9998
William F. Barton	9684	Clara A. Ward	10002
Daniel Crail	9770	Stephen W. Pittsborough	10005
Mary M. Motte	9771	Mary E. Palmer	10008
Leona F. Herrin	9854	William L. Porter	10011
Charles L. Carrick	9855	Nellie Locks	10013
Rosa B. Ratger	9857	Sarah A. Dawes	10015
Rachel O. Esterson	9858	William L. Thompson	10016
Seoptha C. White	9861	Jesse Tarter	10020
Vivian Starnes	9864	John L. Sevier	10021
Alma Carrick	9867	Ananda L. Howell	10022
Charles McClellan	9874	Mattie L. Rogers	10023
Robert L. Dry	9875	Nathan Rogers	10024

James B. Bradshaw	10025	Melle A. Carnes	10113
Ira F. White	10026	Lucy F. Roberts	10114
Adrian B. Moore	10027	Edward H. Fitzgerald	10115
William R. Crane	10028	John F. Puckard	10117
James D. Crane	10029	Charles Warr	10118
John Keene	10031	Nancy MacFarland	10123
Kate Crane	10033	Anna B. Little	10124
John A. Boyd	10034	Richard A. Clark	10126
John J. Danvers	10035	Frederic B. Martin	10128
Wilbur Warner	10036	Walter L. Bates	10129
George A. Allen	10037	Nedie Brewer	10130
Walter Shuttle	10038	William Heffernan	10131
John E. Carter	10039	Levi Ackley	10132
John M. Boyd	10043	Bessie Davis	10133
William Foster	10047	Fra Brackett	10135
Darius B. Ford	10049	Caleba Carnes	10136
Harry A. Kelley	10050	Jacksie M. Wayman	10138
Mary F. Pierce	10051	Mattie Shatt	10139
Myron L. Brooks	10052	Charles L. McClure	10140
George W. Taylor	10053	William W. Russell	10141
Josie Leather	10054	Della Jenkins	10142
Laurie D. Perry	10055	John A. Hood	10143
Minnie B. Williams	10056	Ola Maxfield	10145
Solon C. Copeland	10058	Mary L. Cloud	10146
Edna B. Wood	10059	Callie Inlow	10147
James Pace	10060	Lyverett M. Lowrance	10148
Wiley B. McElhenny	10062	Dora E. Hays	10150
Nancy Patrick	10063	Julia M. Schmitzer	10151
James R. Street	10072	Patricia E. Lynam	10153
George Parker	10073	Charles F. Trickey	10161
Laura Morton	10074	Louisa J. Palmour	10169
John D. Kelly	10075	George L. Warker	10170
Nettie Swift	10078	Annie Taylor	10171
Maggie Baldridge	10079	Josie Winters Hall	10174
David R. Stubblefield	10080	Alice Nichols	10181
Thomas J. C. Thompson	10081	Lizzie Dry	10182
Cora P. Harlan	10082	Emma Murray	10183
William L. Singleton	10083	Annie Winton	10187
Lester Evans	10084	Marian Evans	10188
Edna Mayfield	10085	Elizabeth J. McClan	10192
Eda Bray	10087	Eliza J. Price	10199
David J. Matthew	10094	Ressie Stud	10200
Thomas Brown	10100	Hannah L. Langley	10201
Houston J. Pearce	10103	Alma Keith	10203
Mildred F. Siskier	10104	Flora A. Terrill	10204
Henry Odell	10105	Talesphora A. Parader	10205
Fred Mayes	10107	Samuel Shady	10206
Mary Russell	10108	Mary L. Childers	10207
Thomas W. Brewer	10109	Robert M. Hamilton	10208
Samuel L. Milligan	10111	John Billingsley	10209

Nannie Martin	10210	Joseph Reed	D 468
Sarah A. Fields	10214	Adolphus J. Hallam	D 483
Sarah Henderson	10216	Alexander Walker	D 490
Charles H. Renshaw	10218	Albert J. High	D 491
William H. Watkins	10221	America Mattox	D 501
Frank M. Rucker	10222	Moses L. Grazer	D 503
Henry C. Reed	10224	Myrtle Hall	D 509
Laura B. Timberlake	10226	Wallace Thursday	D 511
George A. Brown	10228	Thomas W. Baker	D 516
Drucilla Lowrey	10232	Mattie F. Keys	D 550
Almira Mouse	D 9	William S. Edwards	D 560
Lenora Prather	D 16	Susan L. Reed	D 572
Andrew M. Coater	D 17	William H. Lyman	D 574
Martin L. Stokes	D 28	Grace Davis	D 577
Peter Walters	D 44	Edward C. Bolen	D 582
Columbus M. Reeves	D 58	Dora Guthrie	D 585
Sarah Barnes	D 103	Samuel H. Hawkins	D 591
George T. Kidd	D 108	Lula M. Purcell	D 600
Henry C. Agent	D 139	Ben Estes	D 603
Joseph Phipps	D 147	Thomas M. Reynolds	D 621
Henry Hilton	D 149	Arthur Dodge	D 622
David A. McGlamery	D 161	Carrie L. McNair	D 624
Maggie Doublehead	D 169	Constantine N. Walker	D 641
Annie Lovett	D 180	Joseph Davis	D 648
Nora Hood	D 184	Leander A. Keys	D 650
John A. Johnson	D 232	James J. Barnsdollar	D 655
Nathaniel G. Simpson	D 242	Nathan J. Brink	D 682
Omer W. Head	D 244	William S. Miles	D 688
Etta Taylor	D 245	Emma Waybourn	D 698
Susan V. Sullivan	D 262	Dora E. Rogers	D 708
Levi H. Tackett	D 263	James W. Turley	D 709
William H. Connelley	D 264	Lizzie Ward	D 711
John A. Sullivan	D 284	Robert J. Holly	D 713
May Fields	D 297	Belle I. Quinton	D 728
Katie Hummingbird	D 308	Francis M. Boothe	D 734
William F. Sager	D 320	Amos W. Lord	D 746
Lovick P. Garrison	D 334	Agnes N. Childers	D 749
Henry Grubb	D 338	John E. Renfrow	D 752
Lucey E. Lacey	D 340	William Coon	D 759
Calhe Blevins	D 341	Louis Bruere	D 779
James S. Alfrey	D 355	Georgia A. Waybourn	D 786
Shadrack C. Wallen	D 368	Eliza Fields	D 787
Ada Hall	D 376	William H. Brown	D 788
Jane M. Hicks	D 396	William A. Cox	D 793
Fannie L. Dupree	D 403	Charles A. Robinson	D 799
Willis Battles Jr	D 404	Artha Williams	D 800
Joshua W. Ellis	D 413	Adam Gearhart	D 806
Nina B. Owen	D 450	Cicero I. Rogers	D 855
John M. Rodenour	D 458	Annie Garrett	D 856
Emery S. Thompson	D 464	George S. Yarrowborough	D 875

Rhoda A. Sanders	D	878	Ellis A. Smith	D	1320
Marion Spencer	D	884	Lucas W. Smith	D	1350
Benjamin H. Thibault	D	897	Marion D. Smith	D	1352
Mrs. B. C. Thibault	D	900	Isaac R. Smith	D	1354
James T. Thibault	D	904	Samuel G. Smith	D	1357
Samuel G. Thibault	D	906	Alfred H. Smith	D	1362
Lucas W. Thibault	D	907	Charles W. Smith	D	1362
Isaac T. Thibault	D	908	Samuel Smith	D	1364
John N. Thibault	D	914	Marion T. Smith	D	1365
Harriet Thibault	D	980	Isaac A. Smith	D	1366
Nathan C. Thibault	D	980	Isaac B. Smith	D	1369
Thomas J. Thibault	D	1006	Isaac C. Smith	D	1370
Lizzie Christian	D	1010	Marion A. Smith	D	1371
George Hazlewood	D	1015	Samuel Moore	D	1374
James M. Jones	D	1022	Alfred Smith	D	1378
Reuben A. Lyall	D	1027	Isaac Smith	D	1378
Carrie H. Cobb	D	1040	Alfred T. Smith	D	1374
John M. Barn	D	1060	George W. Smith	D	1375
Sarah E. Henson	D	1083	Charles A. Smith	D	1378
Laura D. Henson	D	1086	Isaac C. Smith	D	1379
Hettie E. Downing	D	1090	Isaac C. Smith	D	1381
Benjamin T. Chan.	D	1099	Marion C. Smith	D	1382
Benjamin Strickler	D	1120	Isaac R. Smith	D	1386
Nancy Spatard	D	1130	Isaac Smith	D	1386
Annie Wilson	D	1134	Isaac C. Smith	D	1387
Ora H. Maxwell	D	1135	Isaac A. Smith	D	1387
Reuben W. Moon	D	1136	Isaac C. Smith	D	1388
Cora Childs	D	1146	Isaac C. Smith	D	1388
Janie Hughes	D	1179	Isaac C. Smith	D	1388
Francis B. Reid	D	1180	Isaac C. Smith	D	1388
Martha Carey	D	1195	Isaac C. Smith	D	1388
Christina Johnson	D	1199	Isaac C. Smith	D	1388
Louvenia Ironside	D	1208	Isaac C. Smith	D	1388
Martha J. Henson	D	1218	Isaac C. Smith	D	1388
David A. Martin	D	1228	Isaac C. Smith	D	1388
Fred D. McEnery	D	1235	Isaac C. Smith	D	1388
Nathaniel R. Martin	D	1261	Isaac C. Smith	D	1388
James H. Requa	D	1266	Isaac C. Smith	D	1388
Frank Carver	D	1267	Isaac C. Smith	D	1388
Etta B. Payne	D	1270	Isaac C. Smith	D	1388
Mary Garrett	D	1271	Isaac C. Smith	D	1388
Joe W. Goodman	D	1272	Isaac C. Smith	D	1388
Matthew T. Flatgar	D	1274	Isaac C. Smith	D	1388
Lizzie C. Holland	D	1285	Isaac C. Smith	D	1388
Etta Downing	D	1291	Isaac C. Smith	D	1388
William Caywood	D	1296	Isaac C. Smith	D	1388
Clarence W. Turner	D	1307	Isaac C. Smith	D	1388
Alfred Carey	D	1311	Isaac C. Smith	D	1388
Euphemia Sweetwater	D	1314	Isaac C. Smith	D	1388
Etta Russell	D	1319	Isaac C. Smith	D	1388

Howard, J. C.	D 2700	Samuel A. Parkhurst	D 2821
Andrew, J. D.	D 2701	Ellen Rogers	D 2822
John, J.	D 2704	Elvyn Rolland	D 2827
Thomas, J. D.	D 2705	Edwina Steeb	D 2828
Thomas, Gustav	D 2708	William M. Stucker	D 2829
Anna, J. H.	D 2711	Sallie Tammene	D 2831
Walter, R. L.	D 2712	Max Tasse	D 2832
John, J. H.	D 2718	John, F. Wolf	D 2835
Ed, M.	D 2722	Ruth, A. Ward	D 2840
John, D. M.	D 2723	Winna Daugherty	D 2884
Alma, M. H.	D 2725	Mary Guthrie	D 2885
Bert, Nether	D 2730	Lydia Long	D 2886
Richard, Nether	D 2731	Edna Roberts	D 2887
William, S. R.	D 2738	Mauda Ward	D 2889
John, R.	D 2739	Elmira J. Alberty	D 2905
W. F. H. R.	D 2740	Thomas C. Cordray	D 2906
John, J. S.	D 2741	Edward Fowler	D 2907
John, S.	D 2743	Dora Fortman	D 2908
William, S. S.	D 2744	Parker Holt	D 2909
John, P.	D 2748	John Huston	D 2910
John, P. H.	D 2749	Georgia Harlin	D 2911
Mar, A. D.	D 2770	Perdell Johnson	D 2913
John, J.	D 2774	Betty Martin	D 2915
John, J.	D 2788	Samuel Spade	D 2917
William, J.	D 2789	Martha Ward	D 2918
Margie, J. D.	D 2792	Ellen Ward	D 2919
Thomas, D.	D 2795	Nora Morten	D 2920
William, D.	D 2794	Ernie Anderson	D 2981
Nancy, D.	D 2796	Francis Dwyer	D 2984
John, J.	D 2797	Wade S. Hayes	D 2987
John, G.	D 2798	James A. Hankins	D 2988
Anna, C. H.	D 2799	Joseph Hardee	D 2991
Bert, H. Harlin	D 2800	Terrie Horn	D 2992
Margaret, C. Harrison	D 2801	Eveline Hall	D 2993
Joseph, A. Kelley	D 2803	John, E. Leftwich	D 2995
Arney, O. Kepler	D 2804	Mattie Henson	D 2994
Josephine, King	D 2805	John D. Colvard	D 2998
Sarah, Jane R.	D 2806	Charles W. Phillips	D 2999
Mary, M.	D 2807	Sarah Shanks	D 3000
John, A. M.	D 2808	Nettie Young	D 3009
John, M.	D 2809	John, P. Ables	D 3048
John, M.	D 2810	Alma Ross	D 3052
William, A. M.	D 2811	John, S. J. Fowles	D 3055
John, T. M.	D 2812	Leuter Hood	D 3056
John, M.	D 2813	James D. Jackson	D 3057
John, W.	D 2814	Emma G. Nelson	D 3058
John, J.	D 2815	Abner Smith	D 3059
John, M. N.	D 2817	George O. Wallace	D 3060
John, J.	D 2818	Lottie Clay	D 3078
John, H. J.	D 2820	John, J.	D 3079

Lucy E. ...	D	3081	Della Baldridge	R	105
Harriet ...	D	3082	Samuel Richey	R	107
Lucy E. ...	D	3083	Malissa Fields	R	144
Isaac C. Hays	D	3084	Fred Zimmetman	R	220
Lucy E. ...	D	3086	Lola Anspach	R	241
Robert L. ...	D	3088	Michael R. Mizer	R	266
Martha Spede	D	3092	Belle A. Powell	R	352
Emma W. ...	D	3093	Austin L. Hill	R	420
Samuel Hatton	D	3157	Mary L. Dudley	R	439
Lucy E. ...	D	3171	Stephen Hazlett	R	465
Leck Michael	D	3172	Mary A. Payne	R	484
Sarah E. Day	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mary C. Thompson	R	4	Andrew Sitrell	R	642
Lucy E. Thompson	R	5	John Sitrell	R	642
William E. Kell	R	10	Lilla May Wilson	R	643
Anna E. ...	R	11	Ollie A. Barger	R	656
Robert C. McLaughlin	R	41	Ida Hawkins	R	671
Matthew A. Pendue	R	45	Lizzie Davis	R	761
George F. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been granted to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED, That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al. vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495) to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

Commissioner

Dated at Muskogee, Indian Territory,

the January 10, 1907.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE.

Osage Agency, Pawhuska, Okla.,
December 10 , 1900.

To Whom it May Concern,-

This is to certify that Wellington Rogers is not now and has not been heretofore enrolled as an Osage Indian as the records of this Agency show. His four children by an Osage woman are enrolled as Osage Indians only.

Very respectfully,

C. H. Mackay
U.S. Indian Agent.

JVP--

1000

RECEIVED
FEBRUARY 1908
AT THE
COMMISSIONER'S OFFICE
MUSKOGEE, INDIAN TERRITORY

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Muskogee, Indian Territory, February 12, 1908

Mr. William, son Rogers,

Skitsok, Indian Territory,

Sir:-

You are hereby notified that the application of **yourself, your wife and three minor children**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on **the second day of March, 1908.**

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

C. J. HARRIS - 708
Register.

Acting Chairman.
BUREAU OF INDIAN AFFAIRS

Commissioner in Charge.

Cherokee D-708

Muskogee, Indian Territory, November 24, 1902.

O. A. Mitscher,
U. S. Indian Agent,
Pawhuska, Oklahoma Territory.

Sir:-

The Commission has heretofore received an application made by Wellington Rogers for the enrollment of himself, his two minor step-children, Claud J. and Mary M. Hicks, and his minor child, Ruby L. Rogers, as citizens by blood of the Cherokee Nation, and for the enrollment of his wife, Dora E. Rogers, as a citizen by intermarriage of said Nation.

It appears that all of the applicants reside in the Osage Nation and you are requested to advise the Commission if Wellington Rogers, his wife, and children, have ever been enrolled or recognized as members of the Osage tribe of Indians.

Respectfully,

Acting Chairman.

D. C. No. 23471-1902.

Refer to 12/13 in Reply.

DEPARTMENT OF THE INTERIOR.
UNITED STATES INDIAN SERVICE.

Osage Agency, Pawhuska, Okla.,
December 1, 1902.

Commission of the Five Civilized Tribes,
Muscogee, I. T.

Gentlemen;-

Referring to your several letters, dated Nov. 24, 1902, Cherokee D-542, 557, 567, 568, 708, concerning certain parties who have filed applications for enrollment on the Cherokee roll, I have to advise you as follows:

Alice Bieheart, who I think is the wife of James Bieheart is not enrolled on the Osage roll.

I do not know Mack Taylor. He is not on the Osage roll.

Lorinda Pettit is not enrolled on the Osage rolls, nor is she recognized as an Osage. If she is the wife of S. W. Pettit, her children by him are enrolled as Osages.

John B. Johnson is not on Osage roll; his present wife and her children are.

Wellington Rogers, his two minor step-children, Claude J. and Mary M. Ficks, his minor child Ruby L. Rogers, and his wife, Dora E. Rogers are not enrolled on the Osage roll. Wellington Rogers' children by his first wife, who was an Osage, are carried on the Osage roll.

Very respectfully,

O. A. Mitscher,
U. S. Indian Agent.

JVP

PY.

Cherokee
D 708

Muskogee, Indian Territory, January 13, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes dated January 13, 1905, granting the application for the enrollment of Wellington Rogers, his minor child, Ruby L. Rogers, and his minor stepchildren, Claude J. and Mary M. Hicks, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Tamm L. L. L.
Chairman

Encl. B 81

Cherokee D-708.

Muskogee, Indian Territory, February 3, 1906.

T. L. Brown,

Attorney for Wellington Rogers, et al.,

Claremore, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 13, 1906, granting the application for the enrollment of Wellington and Ruby L. Rogers and Claude J. and Mary M. Hicks, as citizens by blood of the Cherokee Nation.

Respectfully,

Incl. 3-10.

Tame Birby
Chairman.

Cherokee, D-708.

Cherokee, Indian Territory, February 3, 1906.

Vernington Rogers,

Chickasaw, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 13, 1905, granting the application for the enrollment of yourself, your minor child, Ruby L. Rogers, and your other step-children, Claude J. and Mary A. Hicks, as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly advised.

Respectfully,

James Dixie

Incl. S-12.

Chairman.

Cherokee No.
D. 708

Muskogee, Indian Territory, January 10, 1907.

Dora E. Rogers,
Muskogee, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Incl. Decm. _____ D _____

Commissioner.

Cherokee L708

Muskogee, Indian Territory, March 14, 1907.

Dora E. Rogers,

Skiatook, Indian Territory.

Dear Madam:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for your enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

RPI

Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.C-100
LMC

Cher 10854

Robert L. Ralston

Trans. from R658

Cher 10854

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Vinita, I. T. September 26, 1900.

IN THE MATTER OF THE APPLICATION OF ROBERT D. RALSTON FOR
THE ENROLMENT OF HIMSELF AND CHILDREN AS CHEROKEE CITIZENS.

The Said Robert D. Ralston, being sworn and examined by
Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name please. A Robert D. Ralston.

Q How old are you? A Forty-five.

Q What is your post office? A Needmore.

Q In what district do you live? A Delaware.

Q Who is it you want to have put on the roll? A Myself
and four children.

Q Do you apply for yourself as a Cherokee by blood? A
Yes, sir.

Q What proportion of Cherokee blood do you claim? A About
one-eighth.

Q How long have you lived in the Cherokee Nation? A Well,
hardly two years yet.

Q How did you acquire your citizenship? A Why, I had an
agent to get it for me.

Q Well, who did he get it from? A He got it from the
Cherokee Commission.

THE COMMISSIONER: The applicant presents a duly authenticated
certificate of admission to Cherokee citizenship, showing that on
October 14th, 1887, certain people were admitted to Cherokee cit-
izenship by the Cherokee Commission, and among them appears
the name of Robert D. Ralston.

Q That is your name is it? A Yes, sir.

THE COMMISSIONER: This is taken as official evidence of
the facts stated, and the certificate is returned to the applicant.

Q Where were you living at the time you got your admission?

A In Georgia.

Q You didn't come here until a year ago? A I didn't
finally come until two years ago. I had been in and out several
times.

Q You didn't bring your folks here and stay until two years
ago? A No, sir; my family wasn't well enough to move.

Q What was the matter with your family during that time
that they could not come here? A My wife or children one was
sick all the time.

Q One of them were sick all the time? A Yes, sir; those
children are all dead now but one, that is on that roll.

Q Give me the names of the children you apply for now please.

A Robert L.

Q How old is that child? A He is thirteen.

Q The next child? A Viola L.

Q How old is that child? A Nine.

Q The next child? A Lucy.

Q How old is she?

A She is six.

Q The next child? A Luke.

Q How old is that child? A Four.

Q That is all, is it? A Yes, sir.

Q These children came with you two years ago? A Yes,
sir.

Q None of them were ever here before that time, were they?

A No, sir.

Q Of course they are not upon any roll? A Yes, sir, two of
them are on the 1894 roll.

Q Which ones, Robert L. and Violet? A Yes, sir.

Q Are you on the 1894 roll? A Yes, sir.

Q That is the only roll you are on is it? A Yes, sir.

Q Now, this child Robert L., was he born since October 14th 1887,--since you were admitted? A He was admitted; he is one year old there.

THE COMMISSIONER: The name of Robert L., is identified on the certificate of admission presented by the applicant.

(By Mr. W. T. Hutchings, Counsel for Cherokee Nation)

Q You remained in Georgia after your admission and took part in all of the elections, both State and municipal, didn't you, and voted at them? A Yes, sir.

Q You were chief of police of the town of Dalton, Georgia, for a long time after your admission to citizenship? A Yes, sir.

1894 Roll, page 287, No. 3670, Robt. D. Ralston, Cooweescoowee District.

1894 Roll, page 288, No. 3674, Robt. L. Ralston, Cooweescoowee District.

1894 Roll, page 288, No. 3675, Violet Ralston, Cooweescoowee District.

Q What is the name of the mother of these children?

A Vashty.

Q Cherokee or white woman? A She was a white woman.

Q And is she dead or alive? A She is dead.

Q How long has she been dead? A She died in 1898.

Q When were you married to her? A Here is the paper.

THE COMMISSIONER: The applicant presents what purports to be an official copy, though it is without the seal of office, of his marriage license, from Whitfield County Georgia, under date of March 1st, 1884, authorizing the marriage between himself and Vashty Echols. Signed by W. J. Underwood, Ordinary.

The certificate attached thereto states that the parties were married in accordance with said license on the second day of March, 1884. This is accompanied by an official statement from the Ordinary and ex-officio Clerk of the County stating that the copy is correct. These papers are filed herewith.

Q You and your wife lived together from the time of your marriage until the time of her death, did you? A Yes, sir.

Q What year was it you came here? A It was in February 1899

THE COMMISSIONER: The applicant applies for the enrollment of himself and four children-----

THE APPLICANT: Will you allow me to show you a letter before you make your decision?

THE COMMISSIONER: Yes, sir.

(Letter handed to Commissioner)

THE COMMISSIONER: That does not affect the status of your case at all. That is just what I am going to tell you.

Q Are all these children living at this time? A Yes.

THE COMMISSIONER: The applicant applies for the enrollment of himself and four children. He is shown by the official certificate cited in the testimony to have been admitted to Cherokee citizenship in 1887; according to his own evidence he did not move to the Cherokee Nation and gain his residence here until February 1899, therefore he comes under the provision of Sec. 21 of the Curtis Bill, approved June 28th, 1898, which provides that no person shall be enrolled who has not heretofore removed to "and in good faith settled in the Nation in which he claims citizenship." He is identified on the roll of 1894, but as he

did not move to the Cherokee Nation until 1890 and exercised all the functions of citizenship in the State of Georgia from the time of his admission until he moved here, he cannot be enrolled at this time, and his application for his own enrollment is rejected.

As regards the application for the enrollment of his four children enumerated in the testimony: The oldest one, Robert L., is identified on the certificate of admission cited in the testimony; he was then, and is now, a minor, being at the time of his admission one year old and now thirteen years of age.

The child Violet is identified on the roll of 1894, as is the child Robert L. The two younger children Lucy and Luke are not identified on any roll, but all three of the latter children were born since the admission of their father to Cherokee citizenship. They came to the Cherokee Nation at the time their father removed to the Nation, but being minors during the period of their absence, the application for their enrollment will be taken under consideration, and their names will at present be placed upon a doubtful card.

The applicant will be required to supply the Commission with certificates of birth of the two younger children, Lucy and Luke, who are not upon any roll. The two older children are living at this time with the applicant in the Cherokee Nation. The applicant is shown by the official evidence of his marriage to have been married to his wife in 1884. They lived together from the time of their marriage until her death in 1898.

-----0-----

The undersigned being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Wm. S. Wellthear.

Subscribed and sworn to before me this 11th day of October
A.D. 1900

C. R. Breckinridge,
Commissioner.

The undersigned being sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes she made the above and foregoing copy and that the same is a full, true and correct copy of the above transcript.

Mattie M. Face

Subscribed and sworn to before me this 25th day of April 1906.

Charles K. Kibler
Notary Public.

"R"

Cherokee D 437

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 27, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Robert D. Ralston for the enrollment of his children as Cherokee citizens:

Appearances:

Luman F. Parker, Jr., of Hutchings, West and Parker,
Vinita, I. T., attorneys for the applicants;
W. W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant and his attorneys were notified by registered letter February 11, 1902, that this case would be taken up for final consideration by the Commission on the 27 day of February, 1902. Receipt has been acknowledged of the Commission's letters and on this day, to-wit, the 27th day of February, 1902, the applicant appears by his attorneys, Hutchings, Parker and West, of Vinita, I. T.

The attorneys for the applicant and the representative of the Cherokee Nation present submit this case to the Commission and same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant requests and will be granted ten days in which to file brief, one copy with the Commission and one copy with the Representatives of the Cherokee Nation.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D.Green

Subscribed and sworn to before me this February 28, 1902.

T.B.Needles,

Commissioner.

The undersigned being sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes she made the above and foregoing copy, and that the same is a full, true and correct copy of the original transcript.

Mattie M. Face

Subscribed and sworn to before me this 25th day of April, 1906.

Chas E. Heblum
Notary Public.

Certificate of Admission to Cherokee Citizenship.

Office of Commission on Citizenship,
Tahlequah, Cherokee Nation.

To All Whom It May Concern—Greeting:

This is to certify that the following named, to-wit: Robert D. Raulston, male, 25 years, Evie D. Raulston, female, age 8 yrs, Mildred D. Raulston, female, age 6 years, Mary C. Raulston, female, age 4 years and Robert L. Raulston, male, age 1 year, did, pursuant to the provisions of an act of the National Council of the Cherokee Nation, approved December 28th 1886, entitled "An act providing for the appointment of a Commission to try, and determine, applications for Cherokee Citizenship," make such application to and before said "Commission" on the 2d day of July 1887; that the proof submitted by the above named Robert D. Raulston in support of his said application has been found, and is hereby declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of Section Seventh of said Act of the National Council — and that, by virtue of such finding of fact by the Commission, and in conformity with the fourteenth Section of said act, the above named parties (applicants for citizenship) are, from this, the date of said finding and decision of the Commission as announced and recorded, re-admitted by the National Council, as provided in said fourteenth Section, to the rights and privileges of Cherokee citizenship, under Section 2, Art. 1 of the Constitution of the Cherokee Nation; and this certificate of the said decision of the Commission and re-admission by Council is made and furnished to the said parties accordingly.

In witness whereof, I hereunto sign my name, as Chairman of the Commission, on this the fourteenth day of October 1887.

D. W. Lipe,
Acting Chairman Com. of Citizenship.

Attest:

My self,
Clerk Com. on Citizenship.

(Seal)

Approved and endorsed: D. W. Busheyman,
Principal Chief C. N.

For
Asst. Sec. Secty. C. N.

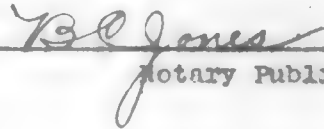
Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T. September 30, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.



Chief Clerk Cherokee Division.

Sworn to and subscribed before me
this 30th day of September 1902.



Notary Public.

Copy

"R"
Cherokee D 432

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 27, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Robert D. Ralston for the enrollment of his children as Cherokee citizens:

Appearances:

Luman F. Parker, Jr., of Hutchings, West and Parker,
Vinita, I. T., attorneys for the applicants;
W. W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant and his attorneys were notified by registered letter February 11, 1902, that this case would be taken up for final consideration by the Commission on the 27 day of February, 1902. Receipt has been acknowledged of the Commission's letters and on this day, to-wit, the 27th day of February, 1902, the applicant appears by his attorneys, Hutchings, Parker and West, of Vinita, I. T.

The attorneys for the applicant and the representative of the Cherokee Nation present submit this case to the Commission and same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant requests and will be granted ten days in which to file brief, on a copy with the Commission and one copy with the Representatives of the Cherokee Nation.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D.Green

Subscribed and sworn to before me this February 28, 1902.

T.B.Needles,

Commissioner.

The undersigned being sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes she made the above and foregoing copy, and that the same is a full, true and correct copy of the original transcript.

Mattie M. Price

Subscribed and sworn to before me this 25th day of April, 1906.

Charles E. Leburn
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

HHL

CR

In the matter of the application for the enrollment of Robert L. Ralston, Violet L. Ralston, Lucy Ralston and Luke Ralston, as citizens by blood of the Cherokee Nation.

D E C I S I O N

--oOo--

The record in this case shows that on September 26, 1900, Robert D. Ralston appeared before the Commissionat Vinita, Indian Territory, and made application for the enrollment of himself and his four minor children, Robert L., Violet L., Lucy and Luke Ralston, as citizens by blood of the Cherokee Nation. Robert D. Ralston is differently classified and is not included in this decision.

The evidence shows that Robert L. Ralston was admitted with his father, Robert D. Ralston, and others, on October 13, 1887, to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation. He, with his father and the others included in this application, Violet L., Lucy and Luke Ralston, did not remove to and in good faith settle in the Cherokee Nation until February, 1890. Prior to that time the father of the applicants in this case had been a citizen of Georgia.

Robert L. Ralston and Violet L. Ralston are identified on the Cherokee Strip payment roll of 1894. Lucy Ralston and Luke Ralston were born on May 24, 1894 and July 10, 1896, respectively, and proper proof of their birth has been furnished this Commission.

Paragraph 9 of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship:"

It is, therefore, the opinion of this Commission that the application for the enrollment of Robert L. Ralston, Violet L. Ralston, Lucy Ralston and Luke Ralston, as citizens by blood of the Cherokee Nation should be denied and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Thos Bixby
Acting Chairman,

T. B. Needles
Commissioner.

C. R. Breckinridge
Commissioner.

Dated at Muskogee, Indian Territory,

this Jul. 12, 1902.

DISTRICT OF COLUMBIA, ss:

Joseph H. Carl, being first duly sworn according to law,
deposes and says that he forwarded by registered mail on the ninth
day of December, A. D. 1903, a carbon copy of the attached motion
for review to W. W. Hastings, Esq., Muskogee, Indian Territory, the
attorney for the Cherokee Nation.

(signed) Jos. H. Carl.

Subscribed and sworn to before me this ninth day of December, A. D.
1903.

(signed) George C. Adams.

(SEAL)

Notary Public D. C.

IN THE MATTER OF THE ESTATE OF

And

Application of Robert L. Dalston,)
)
 an Applicant as a citizen of)
 the United States of America,)
 to the National Bank.

THE COURT OF THE NATIONAL BANK

FOR THE REVIEW.

And does the above named applicant, Robert L. Dalston,)
)
 state that the decision rejecting his appli-)
)
 cation for enrolment in the National Bank at a review and rehearing,)
)
 is contrary to the law and the facts.

This case is on all points with that of Mrs. M. Camp (Bonds)
 decided by the court on March 28, 1904, (1904. 1118-1905).
 Mrs. M. Camp was admitted to citizenship November 10, 1907, and this
 case was decided October 14, 1908. She came to the Nation in
 November, 1906, while he came to the Nation in February, 1907. She
 was more than twenty-one years of age when she came to the Nation
 while he was only twelve years of age when he came -- he is only
 sixteen years of age now. Her name is on the 1890 census roll,
 while his name appears on the 1894 strip payment roll. The depart-
 ment directed the enrolment of Mrs. M. Camp and we respectfully
 submit that under that decision Robert L. Dalston, this applicant,
 is a qualified citizen.

Respectfully submitted,

Very truly yours,

Wm. H. Hitt.

Attorney for Applicant.

Attorneys for Applicant.

COMMISSION TO THE PEOPLE

FILED

SEP 2 1902

RECEIVED

(Total)

Notary Public.

COMMISSION TO THE
FIELD
2 1902

Copy.

Cherokee-658.

GEORGIA,
WHITEFIELD COUNTY. }

TO ANY JUDGE, JUSTICE OF THE PEACE OR MINISTER OF THE GOSPEL:

You are hereby authorized to join in the Holy State of Matrimony Robert D. Ralston and Vashti Echols, according to law; and for so doing this shall be your sufficient License.

Given under my official signature this 1st day of March, 1884.

W. J. Underwood, Ordinary.

CERTIFICATE TO BE RETURNED TO THE ORDINARY.

I HEREBY CERTIFY, That on the second day of March, 1884, Robt. D. Ralston and Vashti Echols, were by me duly joined in Matrimony.

J. F. Trevitt, M. P. & J. P.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., August 26, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

C. E. Ralston
Chief Clerk Cherokee Division.

Sworn to and subscribed before me
this 26th day of August, 1902.

B. A. Jones
Notary Public.

457110
Cherokee D-437
(K-658)

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Robert L. Halston as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on September 26, 1900, Robert L. Halston appeared before the Commission at Vinita, Indian Territory and made application for the enrollment, among others, of Robert L. Halston as a citizen by blood of the Cherokee Nation.


The record further shows that on July 12, 1902, this Commission rendered its decision, denying, among others, the application for the enrollment of Robert L. Halston as a citizen by blood of the Cherokee Nation, and that said decision was approved by the Department. Departmental letter of January 6, 1904, (I.T.N. 9134-03), remanded this case for readjudication as to the rights of Robert L. Halston.

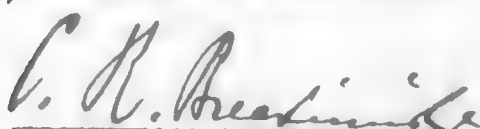
The evidence herein shows that on October 13, 1887, by the properly constituted authorities, Robert L. Halston was admitted, as a Cherokee by blood, to citizenship in the Cherokee Nation; that at the time of said admission the said Robert L. Halston was but three months old, and that, before reaching his majority, namely, February 1899, the said Robert L. Halston removed to the Cherokee Nation and has since continuously resided therein.

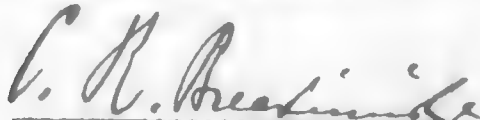
-2-

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Ora W. Camp, et al., (I.T.D. 1416-1903), Robert L. Halston should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


C. R. Breasim.
Commissioner.

Muskogee , Indian Territory,
this JAN 13 1905

2 necessary explanation and effect of the decision of the court in the case of Alice L. Owens."

With reference to the question of the court's decision:

"The court's decision of the question of the citizenship of the defendant in the case of Alice L. Owens is a decision of the court in the case of Alice L. Owens, and is a decision of the court in the case of Alice L. Owens."

The court's decision of the question of the citizenship of the defendant in the case of Alice L. Owens is a decision of the court in the case of Alice L. Owens, and is a decision of the court in the case of Alice L. Owens. The court's decision of the question of the citizenship of the defendant in the case of Alice L. Owens is a decision of the court in the case of Alice L. Owens, and is a decision of the court in the case of Alice L. Owens.

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Very truly yours,

A. L. O. Owens.

Copy

Cherokee D 437

Office of Commission on Citizenship

Tahlequah C.N. July 2nd 1887

Docket	No	Names	age	sex	Post office	atty.
	1	Robert D. Rawleston	32	male	Dalton Ga	
	2	E. C. Rawleston	8	Female		
275	3	Lillia D. Rawleston	6	"		
	4	Mary C. Rawleston	2	"	L.B. Bell	
	5	Robert L. Rawleston	3 mo	male	Applicant for	
					Cherokee Nation.	

Rolls 1835

vs
Cherokee Nation
filed July 2nd 1887.

Ancestor
Lewis Rawlston

Now on this the 13-day of October, 1887 -
Comes the above case for a final hearing and the parties having made application pursuant to the provisions of an act of the National Council approved, Dec 8 1886, And all the evidence being duly examined and found to be sufficient and satisfactory to the Commission and the name of the ancestor Lewis Rawlston appearing on the rolls of 1835. It is adjudged and determined by the Commission that Robert D. Rawlston, E. C. Rawlston, Lillia D. Rawlston, Mary C. Rawlston, Robert L. Rawlston are Cherokees by blood, and are hereby re-admitted to all the rights privileges and immunities of Cherokees by blood, and a certificate of said decision of the Commission and a re-admission was made and furnished to said parties accordingly.

D. W. Lipe Actg Chairman.

Chairman Commissioner.

John E. Gunter, Commissioner.
Commissioner.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the records on file in this office.

Ella Mielong

Mattie M. Pace, being first duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes she made the above and foregoing copy and that the same is a full, true and correct copy of the original transcript.

Mattie M. Pace

Subscribed and sworn to before me this 25th day of April, 1906.

Chas E. Webster
Notary Public.

(C O P Y -)

Refer in reply to
the following:

Land
25,920-1902.

DEPARTMENT OF THE INTERIOR

-Copy-

OFFICE OF INDIAN AFFAIRS.

Washington, May 10, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a report made on April 26, 1902, by the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Robert D. Ralston for the enrollment of himself and his children, Robert L., Viola L., Lucy and Luke.

It appears that Mr. Ralston was admitted to citizenship by the Cherokee authorities on October 14, 1887, and that he did not remove to the Cherokee Nation until February, 1899.

The Commission held, therefore, that he was not entitled to citizenship in the Cherokee Nation.

It does not appear that any specific or clear decision was made by the Commission relative to the rights of these children, and it is presumed that their case will come up separately.

It seems, however, to the office proper to state that it would have been well to have decided the cases of the children with that of the father as their rights seem to be dependent upon his, and it is therefore respectfully recommended that the com-

-2-

mission be advised that as the rights of the father have been denied the children should not be placed upon the rolls of the Cherokee Nation.

Very respectfully,

Your obedient servant,

A. C. Tenner,

Acting Commissioner.

(W.C.V.)

P.

(C O P Y)

D.C. 10104
I.T.D. 3052-1902.

JP
F

DEPARTMENT OF THE INTERIOR

L.R.S.

Washington, June 13, 1902

Commission to the five civilized tribes,
Muskogee, Indian Territory.

Gentlemen:

April 26, 1902 , you rejected the application of Robert D. Ralston for enrollment as a citizen of the Cherokee Nation.

Ralston made application for himself and four minor children. It appears that Ralston, who was then a resident of Georgia, was admitted to citizenship in the Cherokee Nation by the Cherokee authorities on October 14, 1887, but he did not remove to the Indian Territory until 1899. His name appears on the 1894 "strip payment roll." As the act of June 28, 1898 (30 Stat., 495), provides that no person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship, you rejected the application as to him, and it appears from your field decision that you placed his children on a doubtful card. The children are not mentioned in your decision which the Acting Commissioner of Indian Affairs, submitting the case May 10, 1902, recommends be approved.

The Department concurs in this recommendation, and your decision is concurred in.

The Acting Commissioner states that it would have been well for you to have decided the cases of the children with that of the father, as their rights seem to be dependent upon his, and he recommends that you be advised that as the rights of the father have been denied the children should not be placed upon the rolls of the Cherokee Nation.

The Department assumes that there were satisfactory reasons why you did not dispose of the application of the children at the time you rendered your decision in regard to Ralston. If you reject, or have rejected, the application of the children, of course the case will reach the Department in due time, but if, on the contrary, it has been, or shall be, concluded that they should be enrolled the Department considers it advisable that they should not be enrolled until the Department has had an opportunity to pass upon the question of their rights. You are therefore requested to make a decision in the matter if you have not already done so. In transmitting the case you are at liberty to submit your views in regard to the question involved.

Respectfully,

(Signed) Thos. Ryan
Acting Secretary.
Def.

(C O P Y

Refer in reply
to the following:
Land
42030-1902.

Department of the Interior

Office of Indian Affairs

Washington, July 22, 1902

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made July 12, 1902, by the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Robert D. Ralston for the enrollment of himself and his minor children Robert L.; Viola L.; Lucy and Luke Ralston, as citizens by blood of the Cherokee Nation.

It is shown that Robert D. Ralston, with his son, Robert L., and others were on October 13, 1887, admitted to citizenship in the Cherokee Nation. Prior to said re-admission Robert D. Ralston had been a citizen of the State of Georgia, and none of the applicants removed to the Cherokee Nation until February 1899

The Commission declined to enroll them because of the provision of the Act of June 28, 1898 (30 Stat., 495), which declares that

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship."

The office believed that the statute is mandatory in

-2-

this case, and that the Commission is without authority to place the names of the applicants on the rolls of the Cherokee Nation. It therefore respectfully recommends that the decision of the Commission be affirmed.

Very respectfully,

Your obedient servant,

A. C. TOMLIN,
Acting Commissioner.

WCY

D

3 inclosures.

(C O P Y)

D.C. No. 12525-1902
L.R.S.
I.T.D. 4473-1902.

45126

FHE

DEPARTMENT OF THE INTERIOR.

Washington, July 29, 1902

Commission to the

Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department is in receipt of the record in the matter of the application of Robert D. Ralston, for the enrollment of himself and minor children, Robert L.; Viola L.; Lucy and Luke Ralston, as citizens by blood of the Cherokee Nation.

Your Commission rejected said application for the reason that said applicants did not remove to and in good faith settle in the Cherokee Nation until February, 1899.

The Acting Commissioner of Indian Affairs forwarded said record on July 22, 1902, and recommended that the decision be affirmed. The act of June 28, 1898 (30 Stat., 495), which authorizes the Commission to enroll members of the Five Civilized Tribes declares that-

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship."

A careful examination of the facts show that your decision is correct. It is affirmed and said application is accordingly rejected. A copy of the Acting Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan,
Acting secretary
HMD

1 inclosure.

Copy.

Refer in reply to the following:

Land

45126-1902.

79800-1903.

Department of the Interior,

Office of Indian Affairs,

Washington, December 30, 1903.

The Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of July 29, 1902, (ITD 4473-1902), there is enclosed herewith a communication from Messrs. Kimball & White, of this city, forwarding a motion for review in the matter of the application of Robert L. Ralston, for enrollment as a citizen of the Cherokee Nation.

To this case there are Robert L., Violet L., Lucy and Luke Ralston, minor children of Robert D. Ralston, but Messrs. Kimball & White only ask for a review in so far as Robert D. Ralston is concerned.

The record in this case shows that Robert L. Ralston and his father, Robert D. Ralston, were admitted to citizenship in the Cherokee Nation October 14, 1887. It appears that Robert L. Ralston did not remove to the Cherokee Nation until February 1899. He however, was a miner, at that time, and removed with his father.

July 29, 1902, the Department approved the Commission's decision adverse to the applicants above named.

-2-

Considering the Department's holding in the Ora L. Camp, (nee Bond) case, March 25, 1903, (ITD 1418-1903), it would seem that the motion of the attorneys should be allowed.

messrs. Kimball & White attach to their letter registry receipt, and say that a carbon copy of the motion mentioned was forwarded to W. W. Hastings, Attorney for the Cherokee Nation.

Very respectfully,

(signed) W. A. Jones,

Commissioner.

GAW-O

WCF. FHE. LRS.

D.C. No. 1328.

ITD. 9134-1903.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, January 6, 1904.

The Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

There is inclosed herewith a motion for review, filed by attorneys Kimball and White, in the matter of the application of Robert L. Ralston, for enrollment as a citizen of the Cherokee Nation. Satisfactory proof has been furnished of service of said motion upon the attorneys for the Cherokee Nation.

Robert L. Ralston is one of the applicants in the Cherokee enrollment case of Robert D. Ralston, et al., but is the only one of said applicants included in the motion for review.

It appears from the record that Robert L. Ralston and his father, Robert D. Ralston, were admitted to citizenship in the Cherokee Nation October 14, 1887, at which date Robert L. Ralston was about one year of age. It further appears that he is identified on the 1894 strip payment roll, and that he removed to the Cherokee Nation in February, 1899, at which time he was a minor.

You rejected the applicants July 12, 1902, referring in your decision to paragraph 9 of section 21 of the act of Congress approved June 28, 1898 (30 Stats., 495), which provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship.

On July 29, 1902, the Department approved your decision.

Your decision in the case, as well as that of the Department, was rendered under a different interpretation of said paragraph 9 from that expressed by the Department of March 25, 1903, relative to the application of Ora M. Camp for enrollment as a citizen of the Cherokee Nation. The Department therefore rescinds its former action in the matter and the case is returned to you, in order that the rights of Robert L. Ralston may be readjudicated by you in accordance with the decision of the Department in the case above referred to.

A copy of Indian Office letter of December 30, 1903, is inclosed herewith, together with the motion for review and the record.

Respectfully,

(Signed) Thos. Ryan,
Acting Secretary.

3 inclosures.

Refer in reply to the following C O P Y
Land.1895-1904.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, Feb. 2, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is inclosed, herewith, a communication from W.W. Hastings, attorney for the Cherokee Nation, dated January 6, 1904, transmitting reply brief in behalf of the Cherokee Nation in the matter of the enrollment of Robert L. Ralston. Mr. Hastings states that this brief was filed in reply to a brief filed by Kimball & White, attorneys for the applicant, and that a copy of the same has been sent to them by registered mail. Registry receipt appears along the papers.

The Department, on January 6, 1904 (I.T.D.9134), allowed the motion to reopen this case and returned the record to the Commission with direction to readjudicate its decision in accordance with the holdings of the Department subsequent to the date of the original decision in the case. It is suggested that the brief inclosed be transmitted to the Commission.

Very respectfully,

A.C.Tenner,

Acting Commissioner.

CAV:LKS.
3 Inc.

D.C.No. 4579-1904.

CMR. LRS.

DEPARTMENT OF THE INTERIOR,

ITD. 974-1904.

WASHINGTON, February 5, 1904.

The Commission

to the Five Civilised Tribes,

Gentlemen:

On January 6, 1904, the Department on motion of Kimball and White, attorneys, reopened the case in the matter of the application of Robert L. Ralston, for enrollment as a citizen of the Cherokee Nation, and remanded the case to you for adjudication.

There is now transmitted for your consideration in connection with said case, brief of the Cherokee Nation, replying to the motion for review filed by said Kimball and White. It appears that proper service has been made upon the attorneys for the applicant.

Inclosed is copy of letter of the Acting Commissioner of Indian Affairs, transmitting the papers to the Department.

Respectfully,

(Signed) Thos. Ryan,

Acting Secretary.

2 inclosures.

COPY.

Cherokee
R 688

Muskogee, Indian Territory, January 13, 1905

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes dated January 13, 1905, granting the applications for the enrollment of Robert L. Balston, et al., as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Encl. B 23

James Dixby.
Chairman

COPY.

Cherokee R-658.

McAlester, Indian Territory, February 3, 1905.

Robert L. Ralston,

Needmore, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 13, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly advised.

Respectfully,

(SIGNED).

James P. Kirk

Chairman.

Incl. S-16.

COPY.

Cherokee R-658.

Muskogee, Indian Territory, February 3, 1905.

L. F. Parker,

Attorney for Robert L. Ralston,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 13, 1905, granting the application for the enrollment of Robert L. Ralston as a citizen by blood of the Cherokee Nation.

Respectfully,

Incl. S-17.

SIGNED.

Tams Dixie
Chairman.

Muskogee, Indian Territory, April 24, 1906.

Chief Clerk,

Cherokee Land Office.

Dear Sir:

You are advised that motions have been filed by the Attorney for the Cherokee Nation for a review of Departmental decisions in the following Cherokee enrollment cases:

Cherokee 10854
Cherokee 10856
Cherokee 10937
Cherokee 10376
Cherokee 10239

Robert L. Malston
Volney R. Boon
Frank Boon
Mary E. Roberts, et al.
Ora W. Bonds, et al.

The names of these persons appear upon the partial roll of citizens by blood of the Cherokee Nation approved by the Secretary of the Interior, and you should take proper steps to see that the issuance of certificates, and the preparation of deeds, describing the land selected as their allotments, is withheld until further ordered.

Respectfully,

GHL

Commissioner.

Muskogee, Indian Territory, April 26, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is inclosed herewith action made by the Attorney for the Cherokee Nation for review in the Cherokee enrollment case of Robert L. Ralston.

The records of this office show that on September 26, 1900, Robert D. Ralston appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of, among others, his minor child, Robert L. Ralston, as a citizen by blood of the Cherokee Nation; that on July 12, 1902, the Commission to the Five Civilized Tribes rejected, among others, the application for the enrollment of said child, and that on July 29, 1902 (I.T.D. 4472-1902), the Commission's decision was duly approved by the Department.

The records further show that on January 6, 1904 (I.T.D. 9134-1903), the Department rescinded its decision of July 29, 1902, adverse to said applicant and remanded the case to the Commission for readjudication, and that on January 13, 1905, the Commission again rendered its decision, and referring to the case of Ora M. Camp (I.T.D. 1418-1903), granted the application for the enrollment of Robert L. Ralston. The Attorney

Secretary--2.

ney for the Cherokee Nation was furnished a copy of the Commission's decision and advised that he would be allowed fifteen days from date thereof within which to file such protest as he desired to make against the action of the Commission, and that if he failed to file such protest the decision of the Commission would be considered final. As the Nation filed no protest the name of Robert L. Ralston was included in a schedule of citizens by blood of the Cherokee Nation forwarded to the Department and approved April 25, 1908, his name appearing opposite No. 32419.

The Cherokee Nation claims that Robert L. Ralston is not entitled to enrollment as a citizen of the Cherokee Nation under the provision of the Act of Congress approved June 28, 1898 (30 Stats., 496), which provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship. . . ."

The record in the matter of the application for the enrollment of said child shows that he, with his father, Robert D. Ralston, and others, were admitted to citizenship in the Cherokee Nation by the duly constituted authorities thereof on October 13, 1887, and that neither he nor his father removed to and settled in the Cherokee Nation until February, 1899, at which time Robert L. Ralston was about 12 years of age.

Secretary--3.

Under the rulings of the Department in the cases of Mary L. Strickland, et al., of January 4, 1906 (I.T.D. 16216-1906), Deck Davis, et al., of January 3, 1906 (I.T.D. 10726, 18214-1906), Hubert Henry, et al., of January 3, 1906 (I.T.D. 10072, 18218-1906), and Nellie Walker Litten, et al., of January 3, 1906 (I.T.D. 15258, 18212-1906), it appears that the Nation's motion should be granted, and it is so recommended.

The record of proceedings had in the case is inclosed herewith.

Respectfully,

Incl. GL-30.
GHL

Commissioner.

Through the Commissioner
of Indian Affairs.

(COPY)

COPY

LAND
38684-1906

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

May 26, 1906.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to enclose a letter from the Commissioner to the Five Civilized Tribes, dated April 26, 1906, transmitting the record of the application for enrollment as a citizen by blood of the Cherokee Nation of Robert L. Ralston.

January 13, 1905, the Commission to the Five Civilized Tribes decided favorably to the applicant.

The record shows that on September 26, 1900, Robert D. Ralston appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of, among others, his minor child, Robert L. Ralston as a citizen by blood of the Cherokee Nation; that on July 12, 1902, the Commission rejected among others the application for this child and on July 29, 1902 (ITD 4473-1902) the decision was approved by the Department; that on January 6, 1904 (ITD 9134-1903) the Department rescinded its decision adverse to the applicant and remanded the case for readjudication; that on January 13, 1905 the Commission again rendered its decision granting the application for the enrollment of Robert L. Ralston referring to the case of Ora M. Camp (ITD 1418-1903) and his name appears at No. 32419

on a schedule of citizens by blood of the Cherokee Nation approved by the Department April 25, 1905.

The Commissioner now encloses a motion on behalf of the Cherokee Nation for review of the Cherokee enrollment case of Robert L. Ralston and recommends that the motion be granted.

In view of the record and of the decision in the case of Nellie Walker Litton, et al., of January 3, 1906 (18212-1905) the approval of the Commissioner's recommendation of April 26, 1906 is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

MMK

C

D.C. 45905

(COPY)

G.R.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

FHE.

I.T.D. 4473-1902.
9892-1906.

October 15, 1906.

Y.P.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

April 26, 1906, you transmitted a motion for rehearing made by the attorney for the Cherokee Nation in the matter of the application of Robert B. Ralston for the enrolment of his minor son, Robert L. Ralston, whose name appears opposite No. 32419 upon the partial roll of Cherokee Indians by blood approved by the Acting Secretary of the Interior on April 25, 1905.

January 13, 1905 the Commission to the Five Civilized Tribes held, in accordance with departmental ruling of March 25, 1903 (I.T.D. 1418), in the case of Ora M. Bonds, nee Camp, that Robert L. Ralston should be enroled as a citizen by blood of the Cherokee Nation.

The record shows that Robert B. Ralston and his minor child Robert L. Ralston were duly admitted to citizenship by an act of the Cherokee Council on October 13, 1887, at which time the father, Robert B. Ralston, was a citizen of the State of Georgia, and his minor child, Robert L. Ralston, was then one year old; that the father with his minor children did not actually remove to the Cherokee Nation until February 1899.

32419

In accordance with the approved opinion of the Assistant Attorney-General for this Department, dated September 24, 1906 (I.T.D.18782), in the case of Ora M. Bonds nee Camp, and James M. Camp, for enrolment as citizens by blood of the Cherokee Nation, wherein it was held that paragraph 9, of section 21 of the act of Congress approved June 28, 1898, providing that

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship."

applies to minors as well as to adults, the motion for review is hereby granted, and the decision of the Commission to the Five Civilized Tribes of January 13, 1905, admitting Robert L. Ralston to enrolment as a citizen by blood of the Cherokee nation, is hereby reversed, and the Department reaffirms its former decision of July 29, 1902 (I.T.D.4473), denying the application for the enrolment of Robert L. Ralston as a citizen by blood of the Cherokee Nation.

In accordance herewith you are requested to strike from the approved partial roll of April 25, 1905, of Cherokee Indians by blood in your possession, the name of Robert L. Ralston, whose name appears opposite No. 32419 thereon. The Department has this day taken similar action upon the partial roll in its possession and has requested the Indian Office to take the same action on the proper roll in its possession.

You are further requested to ascertain whether deeds in allotment have been executed in favor of Robert L. Halston, and if so, to withhold the same from delivery to allottee and forward the same to this Department for action thereon.

A copy of Indian Office letter of May 26, 1906 (Lana 38684), recommending that the motion for review be granted, is inclosed.

Respectfully,

Thos. Ryan

Acting Secretary.

1 inclosure.

Cherokee
10854

Muskogee, Indian Territory, October 26, 1906

Robert D. Ralston,

Needmore, Indian Territory.

Dear Sir:

You are hereby advised that this office is in receipt of Departmental letter of October 15, 1906, granting a motion made by attorney for Cherokee Nation, for a review of your application for the enrollment of your minor child, Robert L. Ralston as a citizen by blood of the Cherokee Nation, and reversing the decision of the Commission to the Five Civilized Tribes dated January 13, 1905, admitting said child to enrollment as a citizen by blood of the Cherokee Nation, and affirming the Department's decision of July 29, 1902, denying the application for the enrollment of your said child as a citizen by blood of the Cherokee Nation. The name of your child has been stricken from the approved roll of citizens by blood of the Cherokee Nation.

Respectfully,

L M B

Commissioner

Cherokee
10854

Muskogee, Indian Territory, October 26, 1906

William Henry White ,
Columbian Building,
Washington, D.C.

Dear Sir:

You are hereby advised that this office is in receipt of Departmental letter of October 15, 1906 granting a motion made by the attorney for Cherokee Nation, for a review of the application of Robert D. Ralston for the enrollment of his minor child, Robert L. Ralston, as a citizen by blood of the Cherokee Nation, and reversing the decision of the Commission to the Five Civilized Tribes dated January 13, 1905, admitting said child to enrollment as a citizen by blood of the Cherokee Nation, and affirming the Department's decision of July 29, 1902, denying the application for the enrollment of said child as a citizen by blood of the Cherokee Nation. The name of said child has been stricken from the approved roll of citizens by blood of the Cherokee Nation.

For your information there is enclosed herewith a copy of Departmental decision of October 15, 1906.

Respectfully,

L M B

Commissioner

Encl. B-4

Cherokee
10854

Muskogee, Indian Territory, October 26, 1906

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that this office is in receipt of Departmental letter of October 15, 1906, granting your motion for a review of the application of Robert D. Ralston for the enrollment of his child, Robert L. Ralston, as a citizen by blood of the Cherokee Nation, and reversing the decision of the Commission to the Five Civilized Tribes Dated January 13, 1905, admitting said child to enrollment, and affirming the Department's decision of July 29, 1902, denying the application for the enrollment of said child as a citizen by blood of the Cherokee Nation. The name of said child has been stricken from the approved roll of citizens by blood of the Cherokee Nation.

For your information there is enclosed herewith a copy of Departmental decision of October 15, 1906.

Respectfully,

L M B

Commissioner

Encl . B-5

DEPARTMENT OF THE INTERIOR,
WASHINGTON.D
132

Jul 18, 1907.

Robert L. Ralston.

} Reinstatement denied.

The Commissioner of

Indian Affairs.

Sir:

The Department has before it the application of Robert L. Ralston, who represents therein that he was heretofore borne on the approved rolls of the Cherokee Nation and allowed to select an allotment, but thereafter, without notice, his name was stricken from the rolls and he was directed to return his allotment certificate.

He now applies for reinstatement upon said rolls, and if reinstatement is denied, requests --

that I be so notified, and that in your letter you state that no action will be taken by the Department of the Commissioner to the Five Civilized Tribes in relation to the land for which allotment certificates were issued to the said Robert L. Ralston pending a final determination of the suits brought in the Supreme Court of the District of Columbia for the purpose of a judicial determination of the questions involved in this case.

This application is substantially like that of Fannie L. and Robert K. Rogers for similar relief, upon which the Department took action the 13th instant. The application is denied, upon the same terms and with the same privileges accorded in the case above noted.

As to the alternative relief asked, the case seems to be within the instructions of June 14, 1907.

Very respectfully,

(Signed) George W. Woodruff.

Acting Secretary.

D.O. 307-1907.

GAV

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

I.T.
64272-1907.

WASHINGTON.

July 27, 1907.

Subject:
Reinstatement Robert
L. Ralston on Cherokee
roll.

Commissioner to the Five Civilized Tribes,
Muskogee,
Indian Territory.

Sir:

There is enclosed copy of Departmental letter of the 18th instant, relating to the application of Robert L. Ralston, who represents that he was heretofore borne on the approved rolls of the Cherokee Nation and allowed to select an allotment, but that thereafter, without notice, his name was stricken from the rolls, and he was directed to return his allotment certificate. He applied to the Department for reinstatement on the rolls, or, if that be not conceded, then that no action be taken adverse to his right to retain his allotment selection until the propriety of the action of the Department in striking his name from the roll is tested in the courts.

Please conform to the holding of the Department in this case.

Very respectfully,

(Signed) C. F. Larrabee,

Acting Commissioner.

EEH-Y.

Land.
21065-1909
J E D

1-25582

(Copy)

1

Enrollment case of
Robert L. Ralston.

AUG - 4 1909

The Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of February 23, 1909, (D 6433), and also to the report of March 13, 1909, of the Acting Commissioner to the Five Civilized Tribes, transmitted with Office letter of even date in the case of Charles F. Burgess, et al., attention is invited to that part of the report relative to the Cherokee enrollment case of Robert L. Ralston.

The name of Robert L. Ralston appeared opposite No. 32419 on the schedule of citizens of the Cherokee Nation by blood, approved by the Department on April 25, 1905, but was afterwards cancelled therefrom.

The papers show that on April 7, 1906, a copy of the motion of the National Attorney for the Cherokee Nation for a review in the case was sent by registered mail to L. F. Parker, Jr., attorney for the applicant, H. M. Vance, who, it is understood, was at that time in the employ of the Nation Attorney. It does not appear that any answer was filed by the attorney for the applicant or that he paid any attention whatever to the above mentioned notice, neither does it appear that the Commissioner to the Five Civilized Tribes or the Department ever gave any notice to the applicant or his attorney or afforded them any opportunity to show cause why the name of the applicant should not be stricken from the approved roll.

The question arises whether the notice from the attorney for the Nation was sufficient notice to the applicant for the Commissioner to the Five Civilized Tribes and the Department to legally readjudicate the case and render decisions therein adverse to the applicant as to deprive him of the rights acquired by him under the approval of April 25, 1905, by the Department of the schedule of citizens of the Cherokee Nation, containing his name thereon.

The Office is of the opinion that it was not such notice, and hence that the Department action striking the name of Robert L. Ralston from the roll was taken without due notice and a hearing, and therefore void. The Office believes the case to be analogous to that of John E. Goldsby and that it comes within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908, in that case. (211 U. S. 249).

It is therefore recommended that the words and lines purporting to cancel the name of Robert L. Ralston from the approved roll of citizens of the Cherokee Nation by blood, opposite No. 32419 thereon, be erased in the manner outlined in Department letter of January 19, 1909 (File 5-51) and that he be restored to the status of a recognized citizen of the Cherokee Nation.

The record and other papers in the case are inclosed for your further information.

Very respectfully,

JC-4
3762

(Signed) F. H. Abbott,
Acting Commissioner.

RE

(Copy)

O. E. W.

DEPARTMENT OF THE INTERIOR.

W. C. P.

D-6453

September 9, 1909.

Cherokee Enrollment Case.
:

Robert L. Ralston.
:

The Commissioner of
Indian Affairs.

Sir:

In the matter of the Cherokee enrollment case of Robert L. Ralston, the subject of your communication of August 9, 1909, the Department does not concur in your recommendation.

The enrollment of said Ralston stands cancelled. You suggest that the words and lines signifying that cancellation be erased and status of citizenship be accorded him on the ground that his case is analogous to that of John E. Goldsby (211 U. S. 249), in that he was dropped from the rolls without due process of law.

The Department is of the opinion that the case is not on all fours with that of John E. Goldsby; that, on the contrary, it presents a very material point of divergency. Goldsby had no notice; Ralston did have actual notice of the pendency of proceedings that might result in his loss of acknowledged citizenship; that is, the attorney for the Cherokee Nation sent by registered mail to Ralston's attorney a copy of the motion for reconsideration of his enrollment case and filed affidavit of such service with the Department. As was usual in such cases,

no additional notice or formal rule to show cause was sent by the Department.

Whether such notice affords due process of law is a question which the Department need not now determine; that, as was the situation in the Geldsby case, is for a court to determine. It is sufficient to say that the Geldsby case does not afford authority for the action proposed by you; an action the effect of which would be the adding of Halston's name to the rolls after March 4, 1907, without a prior judicial determination of the points peculiar to his case and distinguishing it from the Geldsby case.

No further action, as the case now stands, will be taken.

Very respectfully,

(Signed) Frank Pierce,

Acting Secretary.

Cherokee
10854.

Muskogee, Oklahoma, September 23, 1909.

Mr. Robert B. Ralston,
Needmore, Oklahoma.

Sir:

The Department in considering the cases of persons whose names have been stricken from the approved rolls of Cherokee citizens in the light of the principles announced by the Supreme Court in its decision in the case of John E. Goldsby (211 U. S. 249), has decided that the case of your son, Robert L. Ralston, whose name was stricken from the approved roll on March 4, 1907, is not analogous to the Goldsby case, and that, consequently, no action looking to the restoration of said name to the approved rolls of citizens of the Cherokee Nation will be taken.

A copy of Department letter of September 9, 1909, with reference to this matter is enclosed herewith.

Respectfully,

WEDM (LRA)
Encl. 23-1.

Acting Commissioner,

Cher 10855

Minnie Eva Walton

Trans. from D 384

Cher 10855

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①

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9.8.42

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
MINNIE EVA WALTON,
as a citizen of the Cherokee Nation of Shawnee blood.

Cherokee D-384.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I. T. September 21, 1900.

IN THE MATTER OF THE APPLICATION OF JANE WALTON FOR THE ENROLLMENT OF HER CHILD, MINNIE EVA WALTON, AS A CHEROKEE CITIZEN.

The said Jane Walton, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

- Q Give your full name please. A Jane Walton.
Q How old are you? A Thirty-six.
Q What is your present office? A It is Seneca, Missouri now.
I have been living there about six months, I guess.
Q In what district do you live? A I don't know whether it is in a district or not.
Q Who is it you want to put on the roll? A My daughter here. This child.
Q What is the child's name? A Walton.
Q What is the full name of the child? A Minnie Eva Walton.
Q How old is this child? A She is going on ~~six~~ six, five years old.
Q Has this child ever been enrolled as a Cherokee?
A Yes, sir.
Q Do you claim to be a Cherokee? A No, sir.
Q What do you call yourself? A I am an Eastern Shawnee.
Q Is this child's father a Cherokee? A A Cherokee Shawnee.
An adopted citizen.
Q Give me the name of this child's father. A George S. Walton.
Q How old is he? A He must be about forty, if he is living, about forty or forty one.
Q He would be? A Yes, sir.
A Yes, sir.
Q He was a Cherokee Shawnee, was he? A Yes, sir.
Q How long has he been dead? A Four years it will soon be.
Q Did he live in the Cherokee Nation all his life?
A Yes, sir.
Q Does this child live in the Cherokee Nation? A Yes, sir.
Q What district was your husband in in 1880? A I think he was in Cooweescoowee.
1880 Roll, page 344, No. 3101, George Walton, Delaware District.
Q You are not enrolled with your husband at all? A No, sir.
1896 Roll, page 353, No. 407, George S. Walton, Cooweescoowee District.
1896 Roll, page 353, No. 400, William Johnstone Walton, Cooweescoowee District. (Note: Mother Minnie B. Walton is marked rejected on original Cherokee list.)
Q Is that you? A No, that is Mr. Walton's first wife.
Q Is this your child? A Yes, sir; but his first wife has two boys, Oscar and Tom Walton.
Q This is not the child enrolled in 1896? A Yes, sir; it is.
Q Why did they put that note in that way about this child?
A I don't know.
Q It was his first wife then that applied and was rejected?
A Yes, his first wife.

2.

Q Was she dead when you married your husband? A No, sir; she separated and then married another man.

Q Did your husband have a divorce from her when he married you? A Yes, sir.

Q Have you got a certificate of that marriage to your husband? A Yes, sir; I have got it at home, but I didn't think I would have to have it.

Q Have you got the decree of divorce from the first wife? A No, sir; she must have got it.

Q Where was that divorce procured? A I think at Claremore.

Q Then what year was he divorced from his wife? A Well, I couldn't recollect in what year it was.

Q What year was it you were married to him? A About 1894, I think.

THE COMMISSIONER: The applicant applies for the enrollment of her child Minnie E. Walton. The child's father is identified on the roll of 1880. The applicant claims to be the widow of the child's father, who was killed some four years ago, and does not claim that she herself is a Cherokee citizen, but that she is an Eastern Shawnee. The child is identified on the roll of 1896. The application for its enrollment will at this time be placed upon a doubtful card, in order that further consideration may be given to the questions involved therein. When a final decision is reached it will be communicated to the applicant at her post office address. And she is desired to supply the Commission with the original or an official copy of her marriage certificate, and further evidence, if practicable, of her husband's having been divorced from his first wife.

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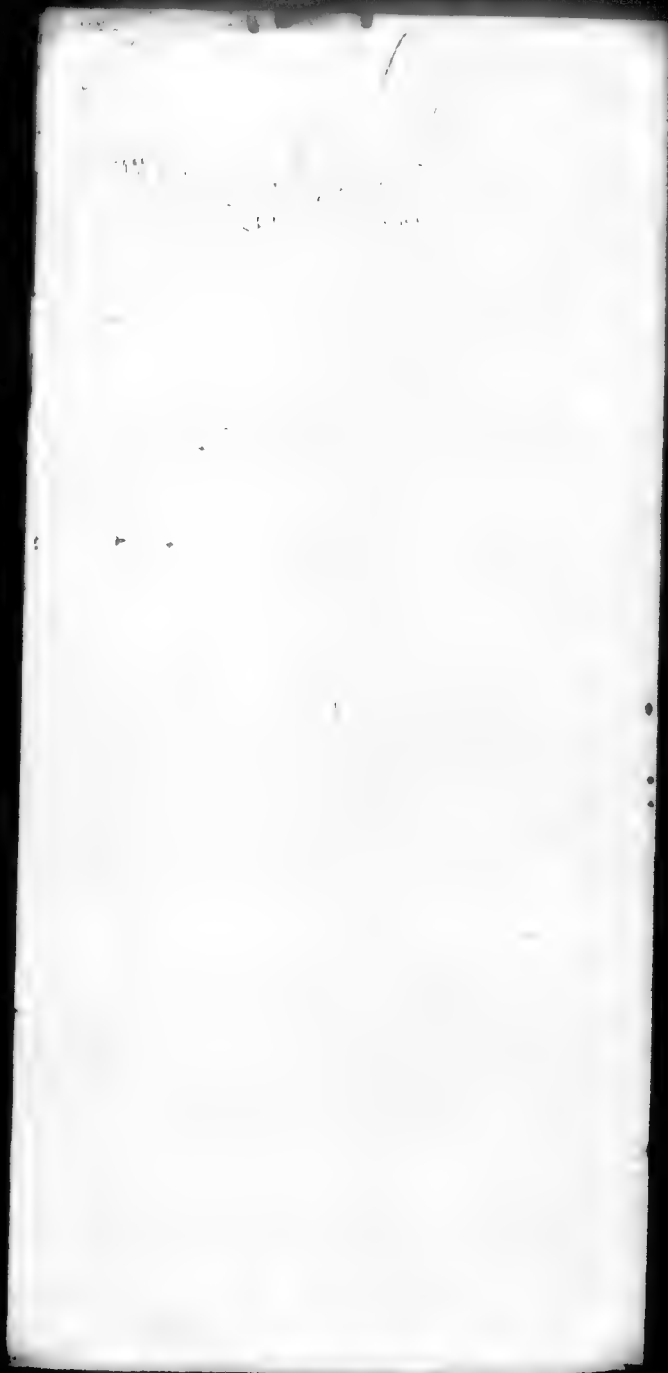
The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

J. S. McLean

Subscribed and sworn to before me this 3rd day of October A. D. 1900.

C. M. Burr

Commissioner.



CHEROKEES BY BLOOD AND ADOPTION.

Date **SEP 21 1900** 1900.

Name *Wesley H. H.*
 District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

<i>Wesley H. H.</i>	Dist. <i>COOWEESCOOWEE</i>	Year <i>90</i>	Page <i>353</i>	No. <i>709</i>	Age <i>5</i>
<i>Wesley H. H.</i>	Dist.	Year	Page	No.	Age
<i>Wesley H. H.</i>	Dist.	Year	Page	No.	Age
<i>Wesley H. H.</i>	Dist.	Year	Page	No.	Age
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<i>Wesley H. H.</i>	Dist.	Year	Page	No.	Age

Wesley H. H. *Wesley H. H.*

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 26, 1902.

In the matter of the application of Minnie E. Walton, for the enrollment of herself as a citizen of the Cherokee Nation:

Applicant was notified by registered letter on February 10, that her application to be enrolled as a citizen of the Cherokee Nation, would be taken up by the Commission for final consideration on the 26th day of February, 1902, and that she could on said date appear before the Commission, in person or by attorney, and an opportunity would be given her to introduce any additional testimony affecting her application.

She was also requested to supply the Commission with a certified copy of the marriage license of herself and George S. Walton; also a certified copy of the decree of divorce of her father from his former wife Minnie B. Walton.

Applicant being called this day, to-wit: the 26th day of February, 1902, three times, and failing to respond either in person or by attorney, the case is ordered closed and reported to the Commission for a final decision based upon the evidence now of record.



Commissioner.

Cherokee D-384.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for the enrollment of
Minnie Eva Walton as a citizen of the Cherokee Nation of Shawnee
blood.

---:--

D E C I S I O N .

The record herein shows that on September 21, 1900, Jane Walton appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of her minor child, Minnie Eva Walton as a citizen of the Cherokee Nation of Shawnee blood. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, February 26, 1902.

The evidence herein shows that one George S. Walton, a Shawnee Indian, and a recognized citizen of the Cherokee Nation, and who is identified on the Cherokee authenticated tribal roll of 1880 and the Cherokee census roll of 1896, is the father of the applicant, Minnie Eva Walton.

The evidence further shows that the said Minnie Eva Walton was born since 1880, has lived in the Cherokee Nation since birth, and is identified on the Cherokee census roll of 1896.

It is, therefore, the opinion of this Commission that Minnie Eva Walton should be enrolled as a citizen of the Cherokee Nation of Shawnee blood, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner

Muskogee, Indian Territory,

this JAN 16 1905

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Oklahoma, January 27th, 1910.

-----oOo-----

In the matter of the duplicate enrollment as an Eastern Shawnee and as a citizen by blood of the Cherokee Nation of Minnie Eva Walton, Cherokee card No. 10855, Roll No. 32420.

Testimony of William D. Hodgkiss taken at the Quapaw Agency near Wyandotte, Oklahoma, January 19th, 1910. Sworn by A.G. McMillan, Deputy Clerk, U.S. Court, Eastern District of Oklahoma.

Examination on behalf of Commissioner:

- Q What is your name? A William D. Hodgkiss.
Q What is your age? A Sixty-four.
Q What is your post office address? A Wyandotte.
Q Are you a member of the Shawnee tribe of Indians? A I am a Sioux myself, but I have been connected here with this Agency. I married amongst the Wyandottes.
Q You are an employe of the Quapaw Agency here? A Yes sir, I am in the Indian Service here.
Q Do you know a Shawnee girl by the name of Minnie E. Walton?
A Yes sir.
Q What is the name of the girl's mother? A She goes by the name of Jane Jackson Pender.
Q What is the name of Jane Jackson Pender's present husband?
A Neal Pender.
Q Is he a white man? A Yes sir.
Q Has this Minnie E. Walton been allotted land as a Shawnee Indian?
A Yes sir.

NOTE: The records of the Quapaw Agency show that under the Act of Congress of May 27, 1902, Minnie E. Walton, daughter of Jane Jackson Pender, was paid \$286.46 as a Shawnee Indian, being her per capita share of the tribal funds of said Shawnee tribe of Indians. Also the allotment records in said office show that Minnie E. Walton, six years of age in 1902, was allotted as a Shawnee Indian, the E/2 of SW/4 of NE/4 and NE/4 of SE/4 of Section 10, T 27 N R 24 E.

- Q Was this Jane Jackson Pender ever known by the name of Jane Walton? A Yes, she was called Jane Walton. She first married a fellow named Dougherty and then she married this Cherokee fellow Walton.

Testimony of Jane Jackson Pender taken at her home about four miles Northwest of Seneca, Missouri, January 20th, 1910. Sworn by A.G. McMillan, Deputy Clerk, U.S. Court, Eastern District of Oklahoma.

- Q What is your name? A Jane Jackson Pender.
Q How old are you? A Forty-five.
Q What is your post office address? A Seneca, Mo.
Q What is the name of your present husband? A Neal Pender.
Q Is he a white man? A Yes sir, white man.
Q Were you ever married to a man by the name of George S. Walton?
A Yes.
Q Was he a Cherokee or Shawnee? A He was a Cherokee-Shawnee.
Q Did you have any children by George S. Walton? A Yes sir, had one.
Q What is the name of that child? A Minnie Eva Walton.
Q Is she living? A Yes sir.
Q Is she allotted as a Shawnee? A Yes sir.
Q Are you allotted as a Shawnee? A Yes sir.
Q Do you know the description of Minnie Eva Walton's allotment as a Shawnee?

Witness here presents a trust patent issued in the name of Minnie E. Walton, showing that there has been allotted to said Minnie E. Walton, as an Eastern Shawnee, the S/2 of SW/4 of NE/4 and NE/4 of SE/4 of Section 10, T 27 N R 24 E.

- Q It appears that on September 21, 1900, you appeared before the Dawes Commission at Vinita, Indian Territory, and made application for the enrollment of Minnie Eva Walton as a citizen by blood of the Cherokee Nation. Do you remember making that application? A Yes sir.
Q Your name was Jane Walton at that time? A Yes sir.
Q What was George S. Walton's first wife's name? A Minnie.
Q How old is your child Minnie now? A She's fourteen.
Q The law provides that a citizen can only hold one allotment. You preferred to have your child take her allotment as an Eastern Shawnee did you? A Yes sir.
Q And you have already received the trust patent for her allotment as a Shawnee? A Yes sir.
Q You first married a man by the name of Dougherty did you? A Yes sir.
Q And then you married George S. Walton? A Yes sir.
Q And after his death who did you marry? A Neal Pender.
Q Where does this name Jackson come in? A That was my maiden name. They never did take it off the pay roll.
- - - - -

Minnie B. Walton case-----3

Albert G. McMillan, being first duly sworn, states that he reported the proceedings had in the above entitled cause and that the foregoing is a correct transcript of his stenographic notes.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January 1910.

R. P. Harrison
Notary-Public.

Clerk, U. S. Court, Eastern District of Oklahoma.

By *J. W. Bynum*

FILED
JUL 18 1897

COMMISSIONERS
HENRY L. DAWES,
JAMES BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory,.....February 10th

1902

Mrs. Jane Walton,

Seneca, Missouri,

Madam:-

You are hereby notified that the application of...

Minnie B. Walton

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the
26th day of **February**, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certified copy of the marriage license of yourself and George S. Walton; also certified copy of the divorce of the father of Minnie B. and his former wife, Minnie B.

Cherokee D-324

Register.

Yours truly,

Acting Chairman.

Muskogee, I. T., May 2, 1902.

Mrs. Jane Walton,
Seneca, Missouri.

Madam:

On February 10, 1902, you were notified that the application made by you for the enrollment of your minor child, Minnie E. Walton, would be taken up for final consideration by the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on February 26, 1902, and you were required to supply the Commission with the original or a certified copy of the Marriage Certificate of yourself and George S. Walton, also a certified copy of the decree of divorce of George S. Walton from his former wife, Minnie V. No reply has been received to that communication.

Upon examination of the 1898 Census roll of the Cherokee Nation your said child is not clearly identified thereon.

You are required to appear in person before the Commission at its office in Muskogee, Indian Territory, within fifteen days from receipt hereof and give further testimony in regard to said application, and also to file with the Commission evidence of the marriage and divorce above referred to.

Yours truly,

Register

Commissioner in Charge.

Cher. D-384.

Tablequah, Indian Territory, November 12, 1903

United States Indian Agent,
Anadarko, Oklahoma.

Dear Sir:-

Will you please inform this Commission whether Minnie E. Walton, the child of Jane Walton, an Eastern Shawnee, is carried on the rolls of your agency and whether she has received an allotment of land in any of the tribes of your agency?

Respectfully,

Commissioner in Charge
Cherokee Land Office.

JOC.

DEPARTMENT OF THE INTERIOR,
"Cher.D-384." UNITED STATES INDIAN SERVICE

Kiowa Agency,

Anadarko, Oklahoma, Nov. 18, 1903.

C. R. Breckinridge,
Commissioner in Charge,
Cherokee Land Office,
Tahlequah, Ind. Terr.

Sir:

This is to acknowledge receipt of yours of the 12th instant, making inquiry as to whether Minnie E. Walton, the child of Jane Walton, an Eastern Shawnee, is carried on the rolls of this Agency and whether she has received an allotment of land in any of the tribes of this Agency, and in reply you are informed that there is no record of such a person in this Agency. It is suggested that you inquire of the Superintendent in charge of the Shawnee Indians, Shawnee, Oklahoma, relative to the above named individual.

Very respectfully,

James F. Randall
Lt. Col. U. S. A.,

A.F.M.

U. S. Indian Agent.

Cherokee D 384.

Tahlequah, Indian Territory, November 25, 1903.

United States Indian Agent,
Shawnee, Oklahoma.

Dear Sir:

Will you please inform the Commisid on whether Minnie E. Walton, the child of Jane Walton, a Shawnee, is carried on the rolls of your Agency, and whether she has received an allotment of land in any of the tribes under your charge?

Please refer in your reply to Cherokee D 384.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

FOR.

DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

U.S. Indian Training School,

Shawnee, Okla., Dec. 2, 1903.

Commission to the Five Civilized Tribes,

Tahlequah, I. T.

Gentlemen:-

Referring to your letter, "Cherokee D. 384", dated November 25, 1903, I have the honor to advise that no such person as Minnie E. Walton can be found on the rolls of the allottees of the Shawnee tribe of Indians under this agency.

Very Respectfully,

Frank C. Mocking

Supt. & Spl. Disb. Agent.

WFD. (B)

Walter D. Dickens Clerk in Charge.

COPY.

Cherokee
D 384

Muskogee, Indian Territory, January 16, 1906

V. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory,

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1906, granting the application for the enrollment of Minnie Eva Walton as a citizen of the Cherokee Nation of Shawnee blood/.

You are hereby advised that you will be allowed fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

(SIGNED)

Tams Dixby.

Chairman

Encl. B 96

Y.

Cherokee D-384.

Muskogee, Indian Territory, February 3, 1906.

Jane Walton,

Seneca, Missouri.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1906, granting the application for the enrollment of your minor child, Minnie M. Walton, as a citizen of the Cherokee Nation of Shawnee blood.

You are advised that you will not be permitted to make an allotment selection for your said minor child until her name has been placed upon a schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly advised.

Respectfully,

Incl. S-24.

(SIGNED)

Tame Bixby.

Chairman.

Muskogee, Oklahoma, February 5, 1910.

SUBJECT: Double enrollment of
Minnie Eva Walton as
a Cherokee and Shawnee.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to bring to the attention of the Department the case of Minnie Eva Walton, who is enrolled as a citizen of the Cherokee Nation, opposite No. 32420, on the final roll of such citizens.

Application for the enrollment of this person was made on September 21, 1900, by her mother, Jane Walton, of Seneca, Mo., who stated that she was an Eastern Shawnee, and that the father of this child, George S. Walton, was a Shawnee by blood, who had been adopted into the Cherokee Nation. The records were examined and showed that Minnie Eva Walton was enrolled on the 1896 Census Roll. No application to select an allotment in the Cherokee Nation having been made on behalf of this citizen, an investigation was begun for the purpose of ascertaining the reason of this neglect, and on January 27, 1910, the testimony of William D. Hodgkiss, an employe in the Indian service, stationed at the Quapaw Agency, Wyandotte, Oklahoma, was taken, at which time he testified that the records of the Quapaw Agency showed that under the

Act of Congress of May 27, 1902, Minnie E. Walton, daughter of Jane Jackson Pender, was paid her per capita share of the funds of the Shawnee Tribe, and that an allotment of the Shawnee lands was made to the said Minnie E. Walton.

On January 20, 1910, testimony of Jane Jackson Pender was taken, at which time she testified that she had formerly been married to George E. Walton, and that Minnie E. Walton was the child of this marriage. She testified also that her said child had received an allotment as a Shawnee, and exhibited a trust patent evidencing this fact.

In view of the facts herein set forth, I have the honor to recommend that a notation be placed on the final approved roll of Cherokee citizens, opposite the name of Minnie Eva Walton, at No. 32420, showing that this person has already received an allotment as an Eastern Shawnee, and is not entitled to an allotment or any part of the ceded property of the Cherokee Nation.

A copy of the record in this case is transmitted herewith.

Respectfully,

Through
Commissioner of
Indian Affairs.
WMH:(CM)
Enc. 4-1

Acting Commissioner.

Land-
Population
11534-1910
J E D

1-22183

1

Duplicate enrollment of
Minnie Eva Walton.

FEB 24 1910

The Honorable

The Secretary of the Interior.

Sir: I have the honor to transmit herewith a report of February 5, 1910, from the Acting Commissioner to the Five Civilized Tribes, relative to the duplicate enrollment of Minnie Eva Walton.

It appears from the inclosed papers that the Minnie Eva Walton whose name appears on the final approved roll of citizens by blood of the Cherokee Nation opposite No. 32420 thereon has also been enrolled and allotted as a Shawnee and is not therefore entitled to an allotment of any part of the tribal property of the Cherokee Nation. The Office therefore recommends that on the final approved roll of citizens by blood of the Cherokee Nation in the possession of the Department there be placed opposite the name of Minnie Eva Walton at No. 32420 thereon the notation:

Duplication. Enrolled and allotted as a Shawnee Indian; not entitled to land or money under this number; and that this Office and the Commissioner to the Five Civilized Tribes be authorized to make a similar notation on the copies

L-11534-2

of the roll in their possession.

Very respectfully,

(Signed) R. G. Valentine,
Commissioner.

Approved:

JUL 26 1910

(Signed) Frank Pierce
First Assistant Secretary.

CAS-19
7622

1-17420

1

Land-
Population
11534-1910
J E D

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

WHG

Duplicate enrollment
of Minnie Eva Walton.

AUG 5 1910

The Commissioner

to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:

It appearing from the report of February 3, 1910,
of the Acting Commissioner to the Five Civilized Tribes,
that Minnie Eva Walton, whose name is on the final approved
roll of citizens by blood of the Cherokee Nation opposite
No. 32420 has also been enrolled and allotted as a Shawnee,
the Department, on July 26, 1910, authorized placing oppo-
site the name of Minnie Eva Walton on the above mentioned
~~Cherokee roll the notation:~~

Duplication. Enrolled and allotted as a
Shawnee Indian; not entitled to land or
money under this number.

A copy of approved Office letter of February 24,
1910, is inclosed for your information and guidance.

Very respectfully,

(Signed) John R. T. Reeves
Acting Chief Land Division.

8-WEA-2
11759

Cher 10856

Volney R. Boon

Trans. from R 711

Cher 10856

CHEROKEE CASE

No. *R 711*

9111

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES

IN THE MATTER OF THE

APPLICATION FOR ENROLLMENT

OF

John A. Smith

RECEIVED

RECEIVED

RECEIVED WITH NO. *2050*

RECEIVED

238

As a condition of the application

March 11 1857 *1857*

Respectfully forwarded to the Secretary of the Interior
for record

Acting Chairman.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

1889 D

RECEIVED
NOV 10 1902

Mr.
Mrs.
Miss
Miss
Miss

Family Names
1. Henry Hoon
2. Volney Hoon
3. Frank Hoon
4. Harry Hoon
5. Emma Hoon

Application for
Citizenship
under Act of March 3, 1901

Charles Hoon, Native of the Five Civilized Tribes, was born on this 21st day of May, 1889, at the residence of his parents, and having made application for citizenship under the Act of March 3, 1901, and having been examined by the National Council on December 15, 1901, and found to be a native-born citizen, and having been duly naturalized and admitted to citizenship, it is adjudged and determined that the said Charles Hoon, being born and raised in the United States, and having been duly naturalized and admitted to citizenship, is entitled to the same rights and privileges as citizens of the United States, and that the said Charles Hoon be and he is hereby declared to be a citizen of the United States, and that the said Charles Hoon be and he is hereby declared to be a citizen of the United States, and that the said Charles Hoon be and he is hereby declared to be a citizen of the United States.

(Initial)
Executive Office of the Five Civilized Tribes
Tulsa, Oklahoma

To the United States Marshal at Tulsa, Oklahoma

Attest:
Special Agent in Charge
Executive Office of the Five Civilized Tribes
Tulsa, Oklahoma

Department of the Interior
Commission to the Five Civilized Tribes
Tulsa, Oklahoma

" D 984.

Nancy Boon.

Office Commission on Citizenship.
Tahlequah C. H. May 24th 1887

Nocket No

	Family Names	age	sex
	1, Nancy Boon	29	female
	2, Volney Boon	7	male
167.	3, Frank Boon	5	male
	4, Earle Boon	3	male
	5, Emma Boon,	1	female

Attorney.

Applicant for
Cherokee Nation.
Census roll 1835.

Vs,
Cherokee Nation,
Filed May 20th 1887.

Ancestor
Jesse & Sallie Mayfield.

Now on this the 21 day of May 1887 comes the above case for final hearing and having made application pursuant to an act of the National Council approved December 8th 1886 and all the evidence being duly considered and found to be sufficient and satisfactory to the Commission it is adjudged and determined by the Commission that Nancy Boon, Volney Boon, Frank Boon, Earle Boon and Emma Boon are Cherokees by blood and they are hereby readmitted to all the rights, privileges and immunities of Cherokee Citizens by blood. and a certificate of said decision of the Commission and readmission and of Readmission was made and furnished said parties accordingly.

Given Henry Biffert,
Clerk Commission.

J. T. Adair, Chairman
Commission,
John E. Gunter, Commissioner
D.W. Lipe, Commissioner.

(SEAL)

Executive Office Cherokee Nation,
Tahlequah I. T.

I, B. W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of the Citizenship Commission on the Cherokee Nation, filed in this office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 5th day of December 1900.

B. W. Alberty
Assistant Executive Secretary.
Cherokee Nation.

---oOo---

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T.,-----

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.


Chief Clerk Cherokee Division.

Sworn to and subscribed before me this 7th day of November, 1902.


Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO INVESTIGATE CIVILIZED TRIBES

NOV 10 1902
U.S. DEPT. OF THE INTERIOR

Office of Commissioner of Indian Affairs
Washington, D. C. May 10, 1902

ACTING CHAIRMAN

TO THE COMMISSIONERS OF THE COMMISSION TO INVESTIGATE CIVILIZED TRIBES
FROM THE COMMISSIONER OF INDIAN AFFAIRS
SUBJECT: [Illegible]

Now on file the 21 day of May 1887, certain a report was for final
report, and having made a final report pursuant to the provisions of an
Act of the National Council, approved December 28, 1886, and in the
evidence being duly considered and found to be sustained and satis-
factory to the Commission, it is ordered and determined by the
Commission that Henry Beck, John Beck, Harry Beck, Charlie Beck, and
James Beck are hereby declared by blood and they are hereby permitted to
all the rights and privileges and immunities of American citizens
by virtue of said decision of the Commission.
And a certified copy of said decision of the Commission
and of resolution was made and furnished said parties respectively.
John T. Adams, Chairman Commission
John E. Gentry, Commissioner
D. W. Hips, Assistant Commissioner
Executive Department, Department of the Interior
Washington, D. C., May 10, 1902.
B. Cunningham, Assistant Executive Secretary of the Com-
mission to Investigate Civilized Tribes, and Secretary of the
Executive Department, Department of the Interior, is a true and correct
copy of the Commission on Citizenship for the year of 1887.
Said document was a part of the records of said office.
In testimony whereof, I have hereunto set my hand and affixed the seal of the Department
this 10th day of May 1902.
A. B. Cunningham, Assistant Executive Secretary
Department of the Interior
Commission on the Investigated Tribes
Washington, D. C.
I, the undersigned, Chief Clerk of the Executive Department
of the Commission to the Investigated Tribes and Secretary
of said Division, do hereby certify that the above
and foregoing is a true and correct copy of the original to file in
the files of the said Division.

Witness my hand and the seal of the Department
this 10th day of May 1902.
Chief Clerk of the Department
Department of the Interior

TRANSCRIPT.NANCY BOON

Office of Commission on Citizenship,
Tahlequah, C. N. May 20th, 1887.

Docket, No.	Family,	Names	Age	Sex	Attorney.
	1,	Nancy Boon,	29,	Female,	
	2,	Volney Boon,	7	Male,	
	3,	Frank Boon,	6	Male,	Kilgore Texas.
167.	4,	Earle Boon,	3	Male,	
	5,	Emma Boon,	1,	Female,	Applicant for Cherokee Citizenship
					Census Roll 1835.

Vs,

Cherokee Nation,
Filed May 20th, 1887.

Ancestor,
Jesse & Sally May-
field.

Now on this the 21 day of May 1887 comes the above case for final hearing, and having made application pursuant to the provisions of an Act of the National Council, approved December 8th, 1886, and all the evidence being duly considered and found to be sufficient and satisfactory to the Commission, It is adjudged and determined by the Commission that Nancy Boon, Volney Boon, Frank Boon, Earle Boon, and Emma Boon, are Cherokees by blood and they are hereby readmitted to all the rights and privileges and immunities of Cherokee Citizens by blood.

And a certified copy of said decision of the Commission and of readmission was made and furnished said parties accordingly.

Henry Eiffert,
Clerk Commission,

John T. Adair, Chairman Commission

John B. Gunter, Commissioner,

D. W. Lipe, Commissioner.

Executive Department, Cherokee Nation,
Tahlequah, Ind. Ter. Aug. 31st, 1901.

I, A. B. Cunningham, Assistant Executive Secretary of the Cherokee Nation do hereby certify that the above and foregoing page of typewritten matter is a true and literal transcript of page, 166, Docket, "A" of the Commission on Citizenship for the year of 1887. Said Docket now being a part of the records of this office.

In testimony whereof, I hereunto set my hand and affix the seal of the Cherokee Nation, the day and year first above written.

(SEAL)

A. B. Cunningham,
Assistant Executive Secretary.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T.,

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

R. R. Renter
Chief Clerk Cherokee Division.

Sworn to and subscribed before me this 7th day of November, 1902.

W. J. Jones
Notary Public.

P E T I T I O N .

To the Honorable Secretary of the Interior,

Department of Interior Washington D. C.

Your petitionerm Volney R. Boon, respectfully and earnestly requests that the case of Nancy Boon by opened for a re-hearing to determine the right to citizenship of your petitioner, for the following reasons:-

1. The said Volney R. Boon, is a son of Nancy Boon deceased, and was admitted to citizenship by the Cherokee Citizenship Commission in 1887 while a minor and was not therefore responsible for his nonresidence in the Cherokee Nation.

2. That the citizenship of the said Volney R. Boon h has been repeatedly recognized by the Cherokee Nation, and that he participated in the Strip Payment of 1896.

3. That he is a descendant of a Cherokee by blood, who was on the roll of 1880.

4. That the said Volney R. Boon with other minor children of Nancy Boon through their legally appointed guardian, Emily W. Harnage, owned property in the Cherokee Nation in July 1893.

That the said Volney R. Boon, as soon as he was free to choose his place of residence came to the Cherokee Nation and has been here since March 4th 1901, and that he was still a minor when

he came to the Nation.

That the said Volney R. Boon has in good faith chosen the Cherokee Nation as his permanent place of residence.

Wherefore your petitioner respectfully asks and requests that his case be given another hearing.

Signed Volney R. Boon
Petitioner.

Subscribed and sworn to before me this the 26th day of October, 1903.

(SEAL) Signed Wm. F. Basums.
Notary Public.

My commission expires April 23, 1906.
(3rd term).

Cravens & Harnage,
Attorneys for Petitioner.
Tahlequah, Ind. Ter.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, April 19, 1904.

I, the undersigned, being first duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes, I copied the above and foregoing petition and that the same is a true and correct copy of the original.

Maui E. DeWitt

Subscribed and sworn to before me this 19th day of April, 1904.

W. O. Deady
Notary Public

R-711
Cherokee D-9047

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE NATION,
Tahlequah, I. T. May 23, 1904.

In the matter of the application for the enrollment of
Velney, Frank, Earle and Emma Boon as citizens by blood of the
Cherokee Nation.

APPEARANCES:

Applicants appear by their attorney, J.C. Harnage ;
Cherokee Nation by its attorney W.W. Hastings.

Applicants offer in evidence the original letters of
guardianship issued by Watt Starr, judge of the District Court Coe-
wee- wee- wee District on June 28, 1903, appointing Emily W.
Harnage as guardian of Velney, Frank, Earle and Emma Boone.

They also offer in evidence bill of sale for certain
town lots in town of Fort Gibson, Indian Territory, executed on the
8th day of July, 1893, by Emily W. Harnage to Velney, Frank, Earle
and Emma Boone, the minor heirs of Nancy Boone.

Documents will be filed with and made a part of the
record in this case.

The undersigned, being sworn, states that as stenog-
rapher to the Commission to the Five Civilized Tribes, she recorded
the testimony and proceedings in this case, and that the foregoing
is a true and complete transcript of her stenographic notes thereof.

Monica Hallwork

Subscribed and sworn to before me this
23rd day of May, 1904

Simon R. Wallingford
Notary Public

(C O P Y)

LETTERS OF GUARDIANSHIP.

---:---

C H E R O K E E N A T I O N . I . T .)

COOWEESCOOWEE DISTRICT.)

OFFICE OF DISTRICT JUDGE,)

Cooweescoowee District,)

To Whom it May Concern:

Know Ye, That I Watt Starr Judge of the District Court
of the District and Nation aforesaid, do, by virtue of authority
in me vested by law, this day make, constitute and appoint in the
name and by the authority of the CHEROKEE NATION Emely W. Harnage
as GUARDIAN of Volney, Frank, Earl and Emma Boone
minor children of Nancy Boone deceased, late of Texas
~~XXXXXX, XXXXXX XXXXX~~, the said Emely W. Harnage
having complied with and performed all duties required by law of
her precedent to this appointment.

In testimony whereof I hereunto set my hand on this the
28th day of June 1893.

(Signed) Watt Starr
Judge District Court.

(C O P Y)

Know all men by these presents: That in consideration of the Sum of One Dollar-- the receipt of which is hereby acknowledged, I hereby transfer to Volney, Frank, Earl and Emma Boone, minor heirs of Nannie Boone, dec'd, late of Kilgore- Texas, their heirs, executors, administrators &c, the following described lot., situated in the town of Fort Gibson Cherokee Nation, Indian Territory, to wit:

Lot No. 1 Block B. range 5--to have & to hold all and singular the said described lot, forever, hereby guaranteeing the title to the same against any and all claimants whatsoever.

In witness whereof I have hereunto set my hand and seal this the 8th day of July 1893.

Emily W. Harnage

Witness W. H. Barker

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Wm M. A.

--0:--

In the matter of the application for the enrollment of
Volney R. Boon as a citizen by blood of the Cherokee Nation.

--: D E C I S I O N :--

The record in this case shows that on December 15, 1900, Thomas J. Adair appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of Volney, Frank, Earl and Emma Boon as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 14, 1902, and June 17, 1902.



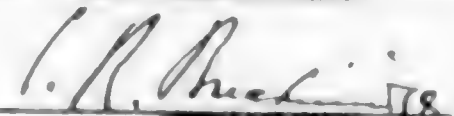
The record further shows that on July 29, 1902, this Commission rendered its decision denying said application. Thereafter, on October 29, 1903, Volney R. Boon filed his petition with the Secretary of the Interior requesting that the judgment, denying his right to enrollment as a citizen by blood of the Cherokee Nation, be set aside, and on January 8, 1904, the Department remanded said decision, affecting the application, only, of said Volney R. Boon, in order that his rights to enrollment as a Cherokee citizen might be readjudicated in accordance with the decision of the Department in the case of Ora M. Camp et al.

The evidence shows that Volney R. Boon was admitted to citizenship in the Cherokee Nation by the duly constituted authorities thereof, on May 21, 1887, and is identified on the Cherokee strip payment roll of 1894 and the census roll of 1896.

It further appears that the applicant was born in the State of Texas, on the 18th day of April, 1880, and continued to reside therein until March 8, 1901, at which time he removed to the Cherokee Nation, where he has since resided.

It is, therefore, the opinion of this Commission that, following the decision of the Department in the case of Ora M. Camp et al., (D. C. 8593-1903), Volney R. Boon should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.

Commissioner.

L. R. Buckner
Commissioner.

Muskogee, Indian Territory,

DEC 1 1904

[illegible]

... ..

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1010 spectrophotometer.

Cherokee D-984. 905

Muskogee, Indian Territory, June 2nd, 1902.

G. W. Benge,

Tablequah, Indian Territory.

Sir:

In the matter of the application of Volney, Frank, Earle and Emma Beem, heretofore represented by you in proceedings before this Commission, you are advised that the Commission desires additional testimony as to whether the applicant, Frank Beem, had removed to, and in good faith settled in, the Cherokee Nation prior to June 20th 1898; and that opportunity will be given you to appear before this Commission on or before June 15th 1902, and introduce any proper testimony touching the matter above referred to.

Yours truly,

Acting Chairman.

Cherokee D-984. 995

Washago, Indian Territory, June 3rd, 1908.

Thomas J. Adair,

Tahlequah, Indian Territory.

Sir:

In the matter of the application of Volney, Frank, Marie and Emma Been, you are advised that the Commission desires additional testimony as to whether the applicant, Frank Been, had removed to, and in good faith settled in, the Cherokee Nation, prior to June 24th 1906, and you are directed to appear before this Commission on or before June 18th 1908, and introduce any proper testimony touching the matter above referred to.

Yours truly,

Acting Chairman.

COPY

Cherokee D 984.

Waskagee, Indian Territory, July 29, 1902.

G. W. Benge,

Attorney for Velney Boon, et al.,

Tahlequah, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, rejecting the application of Thomas J. Adair for the enrollment of Velney, Frank, Earle and Emma Boon as citizens by blood of the Cherokee Nation. You have heretofore been furnished with a copy of the record of proceedings had in this case.

The decision, with a copy of the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Yours truly,

C. E. Needles.

Commissioner in Charge.

Register.

Enc. C. No. 94.

CLW
Cherokee D 984.

Muskogee, Indian Territory, July 29, 1902.

V. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized tribes, rejecting the application of Thomas J. Adair for the enrollment of Volney, Frank, Marie and Emma Doen as citizens by blood of the Cherokee Nation.

The decision, with a copy of the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the commission is informed of the same.

Yours truly,

Commissioner in Charge.

Enc. C. No. 97.

Cherokee D 984.

CCPY

Muskogee, Indian Territory, July 29, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Thomas J. Adair for the enrollment of Volney, Frank, Earle and ~~John~~ Boon as citizens by blood of the Cherokee Nation, including the decision of the Commission, dated July 29, 1902, rejecting said application.

Very respectfully,

Commissioner in Charge.

Through the

Commissioner of Indian Affairs.

1 Inclosure-

C. No. 98.

J. E. Neader

001
Cherokee D 984.

Muskogee, Indian Territory, July 29, 1902.

Thomas J. Adair,

Tahlequah, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, rejecting your application for the enrollment of Volney, Frank, Earle and Emma Boon as citizens by blood of the Cherokee Nation. There has heretofore been furnished your attorney, O. W. Benge, Tahlequah, Indian Territory, a copy of the record of proceedings had in the case, and there has this day been forwarded to him a copy of the Commission's decision.

The decision, with a copy of the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Yours truly,

J. S. McDaniel

Commissioner in Charge.

Register.

Enc. C. No. 98.

Cherokee D 984.

Muskogee, Indian Territory, September 17, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision of date July 29, 1902, rejecting the application of Thomas J. Adair for the enrollment of Volney, Frank, Earle and Emma Boon as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on August 29, 1902.

Yours truly,

John B. B. B.
Acting Chairman.

Cherokee D 984.

Muskogee, Indian Territory, September 17, 1902.

G. W. Benge,

Attorney for Volney Boon, et al.,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision of date July 29, 1902, rejecting the application of Thomas J. Adair for the enrollment of Volney, Frank, Earle and ~~Bama~~ Boon as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on August 29, 1902.

Yours truly,

B. H. H.
Acting Chairman.

Cherokee D 984.

Muskogee, Indian Territory, September 17, 1902.

Thomas J. Adair,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision of date July 29, 1902, rejecting your application for the enrollment of Volney, Frank, Earle and Emma Boon as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on August 29, 1902.

Yours truly,

James B. Davis
Acting Chairman.

Cherokee R-711

Muskogee, Indian Territory, November 12, 1902.

Thomas J. Adair,

Tahlequah, Indian Territory.

Dear Sir:-

When you applied to this Commission for the enrollment of Volney Boon et al., you filed with that application certified copy of judgment of Commission on Citizenship, showing the readmission, among others, of Volney Boon to Cherokee citizenship; also certificate from Commission on citizenship showing the readmission to Cherokee citizenship, among others, of Volney Boon; also letters of guardianship granted to Emily W. Harnage as guardian for Volney Boon and others.

The same are herewith returned to you, copies having been made and retained in the Commission's files.

Respectfully,

Enc. M-8

Tahlequah, Indian Territory, March 17, 1904.

Commission to the Five Civilized Tribes,
(Cherokee Division),
Muskogee, Indian Territory.

Gentlemen:

As requested in the Commission's letter of March 15, I have the honor to enclose herewith the jacket, record and card in the matter of the application of Volney Boon, et al?, Cherokee case No. R-711, for enrollment as citizens of the Cherokee Nation.

Respectfully,

Acting Chief Clerk
Cherokee Land Office.

Encl.) P-129.

RP

Cherokee R-711

Tahlequah, Indian Territory, April 16, 1904.

Commission to the Five Civilized Tribes,
(Cherokee Division),
Muskogee, Indian Territory.

Gentlemen:

On March 17, 1904, the original card, jacket and record in the application of Volney Boon et al., for enrollment as citizens by blood of the Cherokee Nation, Cherokee R-711, was forwarded to the Commission at Muskogee. It is presumed this application has been reopened and remanded by the Department, but the copy card retained in this office fails to show any such note.

I request that this office be advised if a note should be made upon the card to the effect that this application has been reopened and remanded by the Department, and if so, the date of such action.

There is enclosed herewith a letter under date of April 8, from J. L. Harnage, asking to be informed of the status of Cherokee R-711. I suggest that, in order to avoid delay, this letter receive attention at Muskogee.

Respectfully,

MPH

Commissioner in Charge
Cherokee Land Office.

Cherokee R-711

Muskogee, Indian Territory, April 28, 1904.

J. M. Harnage,

Attorney at Law,
Tahlequah, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of April 23, stating that you desire to file a brief in Cherokee case R 711, Volney R. Boon, and that you will perhaps desire to submit more facts in the case, but that you do not think those facts will involve the examination of witnesses.

In reply you are advised that if you desire to introduce further testimony in this case, all witnesses whose testimony you wish to submit must appear before the Commission for oral examination. You will be given thirty days from this date within which to file a brief in the case and you are requested to advise the Commission at the earliest possible moment as to whether or not you desire to introduce such testimony.

Respectfully,

Chairman.

Cherokee R-711.

Muskogee, Indian Territory, May 28, 1904.

J. L. Harnage,

Tahlequah, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of May 24, transmitting brief in Cherokee case R-711, Volney Boon. Said brief has been filed with and made a part of the record in that case.

Respectfully,

Chairman.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. January 9, 1905.

Refer in reply
to the following:

Land.
503-1905.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose a report from the Commission to the Five Civilized Tribes, dated December 30, 1904, transmitting the record of the application for enrollment as a citizen by blood of the Cherokee Nation by Volney R. Beon.

December 1, 1904, the Commission decided favorably to the applicant.

The record shows that on December 15, 1900, Thomas J. Aiair appeared before the Commission and made application for the enrollment as citizens by blood of the Cherokee Nation of Volney R., Frank, Earl and Emma Beon; that on July 29, 1900, the Commission denied the said application; that on October 29, 1903, Volney R. Beon petitioned the Department to set aside the decision and on January 8, 1904, the Department remanded the case of Volney R. Beon to the Commission to readjudicate his case in accordance with the decision of the Department in the case of Ora M. Cary, et al.

The evidence shows that Volney R. Beon was admitted to citizenship in the Cherokee Nation by the duly constituted authorities on May 21, 1887, and is identified on the Cherokee

strip payment roll of 1894 and the Census roll of 1896.

It further appears that the applicant was born in the State of Texas on April 18, 1880, and resided there until March 8, 1901, when he removed to the Cherokee Nation where he has since resided.

In view of the record the approval of the Commissioner's decision favorable to the applicant is recommended.

Very respectfully,

C. F. Larrabee

Acting Commissioner.

M.M.M.
W.

Y.P.
THE

D. C. 5822-1905. DEPARTMENT OF THE INTERIOR,

I. T. D. 238-1905. WASHINGTON. January 31, 1905.

L R S

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

December 30, 1904, you transmitted the record in the matter of the application for the enrollment of Volney R. Deen as a citizen by blood of the Cherokee Nation, including your decision of December 1, 1904, granting said application.

Reporting in the matter January 9, 1905, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

(Signed) Thos Ryan

Acting Secretary.

1 inclosure.

(C O P Y)

D.C. 28675-1905
I. T.D. 2050-1905
L A S

Y.P.
FHE

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

June 7, 1905.

Commission to the five Civilized Tribes ,
Muskogee, Indian Territory.

Gentlemen:

The Department has considered a motion to reopen the Cherokee enrollment case of Frank Boon, brother of Volney Boon, and for whose enrollment application was made at the time of the application for Volney Boon.

On July 22, 1902, the Department affirmed your decision adverse to the applicants, but on January 8, 1904, rescinded its decision, which was made under a different interpretation of paragraph 9 of the act of June 28, 1898 (30 Stat., 495), from that now prevailing, upon the application of Volney Boon, as to him.

Frank Boon was readmitted to citizenship in the Cherokee nation May 21, 1887. At that time he was five years of age. He removed from Texas to the Cherokee Nation in 1898, and remained there about a year, and then enlisted in the United States Army, and was, in March, 1902, in the 26th U.S. Infantry in the Phillipine Islands.

-2-

The decision of July 29, 1902, is hereby rescinded as to Frank Boon, and the testimony and other papers in the matter, including the motion for review, are inclosed herewith, and you are authorized to readjudicate the case, as to him.

Respectfully,

(Signed) E. A. Hitchcock

2 inclosures.

Secretary

Muskegee, Indian Territory, April 24, 1906.

Chief Clerk,

Cherokee Land Office.

Dear Sir:

You are advised that motions have been filed by the Attorney for the Cherokee Nation for a review of Departmental decisions in the following Cherokee enrollment cases:

Cherokee 10854
Cherokee 10856
Cherokee 10837
Cherokee 10376
Cherokee 10239

Robert L. Ralston
Volney R. Boon
Frank Boon
Mary E. Roberts, et al.
Ora N. Bonds, et al.

The names of these persons appear upon the partial roll of citizens by blood of the Cherokee Nation approved by the Secretary of the Interior, and you should take proper steps to see that the issuance of certificates, and the preparation of deeds, describing the land selected as their allotments, is withheld until further ordered.

Respectfully,

GHL

Commissioner.

Muskogee, Indian Territory, May 29, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is inclosed herewith motion made by the Attorney for the Cherokee Nation for review in the Cherokee enrollment case of Volney R. Boon.

The records of this office show that on December 18, 1900, Thomas J. Adair appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of Volney, Frank, Earl, and Emma Boon as citizens by blood of the Cherokee Nation; that on July 29, 1902, the Commission rendered its decision rejecting said application, and that on August 29, 1902 (I.T.D. 4986-1902), the Commission's decision was duly affirmed by the Department. On January 8, 1904, on motion of the applicant, Volney R. Boon, the Department rescinded its decision of August 29, 1902, as to said applicant and remanded the case to the Commission for readjudication as to him. On December 1, 1904, the Commission rendered its decision favorable to Volney R. Boon, and the decision was duly affirmed by the Department January 31, 1905 (I.T.D. 258-1905). The name of Volney R. Boon is included in a schedule of citizens by blood of the Cherokee Nation approved by the Department

Secretary--2.

April 25, 1906, opposite No. 32421.

The motion for review of this case is based upon an alleged erroneous interpretation of the Act of Congress approved June 28, 1898 (30 Stat., 495), which provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship. . . ."

The Nation contends that under this provision of law the applicant is not entitled to enrollment, and that the application for his enrollment should be denied.

The record in the case shows that Volney R. Boon, as Volney Boon, was, with his mother, Nancy Boon, since deceased, and brothers and sister, admitted to citizenship in the Cherokee Nation by the duly constituted authorities thereof on May 21, 1887; that he was born in the State of Texas April 18, 1880, and continued to reside therein until March 8, 1901, at which time he removed to the Cherokee Nation where he has since resided up to and including September 1, 1902.

Under the decisions of the Department in the cases of Mary L. Strickland, et al., of March 12, 1904 (I.T.D. 934-1904), and January 4, 1905 (I.T.D. 18216-1905), Dock Davis, et al., of January 3, 1906 (I.T.D. 10726, 18214-1905), Hubert Henry, et

Secretary--3.

al., of January 3, 1906 (I.T.D. 10072, 12212-1905), and Nellie Walker Litten, et al., of January 3, 1906 (I.T.D. 15252, 12212-1905), it appears that the Nation's motion should be granted, and it is so recommended.

Respectfully,

Incl. GL-60.
GNL

Commissioner.

Through the Commissioner
of Indian Affairs.

Muskogee, Indian Territory, June 13, 1906.

J. L. Harnage,

Att'y. for Frank Boon and others,

Tulsa, Indian Territory.

Dear Sir:

There is returned herewith a reply to the motion for review in the Cherokee enrollment case of Frank Boon and others received with your letter of May 26, in order that your signature may be attached thereto.

The reply bears no evidence of a copy of the same having been served on the attorney of the Cherokee nation and you are advised that the rules require a copy of such papers to be filed on such attorney and proof of the service made.

Respectfully,

Encl.H.J.-21.

H.J.C.

Commissioner.

Cherokee 10856

Muskogee, Indian Territory, June 13, 1906.

Hattie B. Boon,

Tahlequah, Indian Territory.

Dear Madam:

In reply to your letter of May 25, you are advised that a copy of the motion made by the attorney for the Cherokee nation, for a review in the Cherokee enrollment case of your husband, Volney R. Boon, was served on your attorney, J. L. Harnage, Tulsa, Indian Territory, and your request to be furnished a copy of the same cannot be complied with.

Respectfully,

HJC.

Commissioner.

Cherokee
R 711

Muskogee, Indian Territory, June 20, 1906

J. L. Harnage,

Attorney for Volney R. Boon, et al.

Tulsa, Indian Territory.

Dear sir:

There is returned herewith reply to motion made by the attorney for the Cherokee Nation for review of the Cherokee enrollment case of Volney R. Boon, et al., which was received with your letter of June 16, 1906, in order that your signature may be attached thereto.

Please return same at the earliest practicable date.

Respectfully,

L M B

Commissioner

Encl. B-86

Muskogee, Indian Territory, June 26, 1906

The Honorable,

The secretary of the Interior.

Sir:

Referring to this office's letters of May 21, and May 29, 1906, transmitting motions made by the Attorney for the Cherokee Nation for a review of the Department's decisions in the Cherokee enrollment cases of Frank Been, Cherokee 10937 and Volney R. Boon, Cherokee 10386, and to Department's letter to this office of June 8, 1906 (I.T.D. 10084-1906), relative to the case of Frank Been, there is herewith enclosed a reply to said motions, made by the attorney for the applicants.

Respectfully,

L M B

Commissioner

Cherokee
10337-10356

Muskogee, Indian Territory, June 26, 1906

J. L. Harnage,

Attorney for Frank and Volney R. Boon,
Tulsa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 16, 1906, enclosing a reply to the motion made by the attorney for the Cherokee Nation for a review of the Cherokee Enrollment cases of Frank Boon and Volney R. Boon. Same has this day been forwarded to the Department of the Interior.

Respectfully,

L M B

Commissioner

Muskogee, Indian Territory, July 12, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to this office's letter of June 26, transmitting a reply made by J. L. Harnage, attorney for applicants, and a motion made by the Attorney for the Cherokee Nation for a review of the Department's decisions in the Cherokee enrollment cases of Frank Boen, Cherokee No. 10937, and Velney R. Boen, Cherokee No. 10356, there are enclosed herewith a registry return receipt and an affidavit signed by Mr. Harnage, showing service of a copy of his reply upon the Attorney for the Cherokee Nation.

Respectfully,

M.A.Bnc. 12-10.

Commissioner.

Through the
Commissioner of Indian Affairs.

(COPY)

Y.P.

D.C.43595-1906. DEPARTMENT OF THE INTERIOR,
WASHINGTON.

FHE.

I.T.D.10084,10696-1906.
12576,12710- "
12954- "

September 28, 1906.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In the Cherokee Enrollment case of Frank and Volney R. Boon the Department, on January 31, 1905, affirmed the decision of the Commission to the Five Civilized Tribes in favor of Volney R. Boon, and in letter of August 29, 1905, it affirmed the decision of the Commission in favor of Frank Boon.

A motion by the attorney for the Cherokee Nation to reopen the case as to Frank Boon, was received with your letter of May 21, 1906, and a similar motion relative to the case of Volney R. Boon was received with your letter of May 29, 1906. In both instances, in view of the rulings of the Department to which you refer, you recommend that the motion be granted.

In view of the approval of the opinions of the Assistant Attorney-General of December 28, 1905, in the case of Mary L. Strickland, et al., and of December 24, 1905, in the case of Ora M. Bond, and as neither of the applicants removed to the Cherokee Nation or the Indian Territory after readmission to citizenship in the nation until subsequent to June 28, 1898

(See section 21 of the act of Congress of that date, 30 Stat., 495), the decisions of the Department of January 31 and August 29, 1905, are rescinded and the applicants are denied enrollment in the Cherokee Nation. Their names have been stricken from the partial schedule of citizens of the nation approved by the Department, Volney R. Boon opposite No. 32421 and Frank Boon opposite No. 32759, and you are authorized to strike their names from such partial schedule in your possession. You are also authorized to cancel the allotment made to Frank Boon, mentioned in your letter of June 16, 1906. You will advise the Department whether any allotment has been made to Volney R. Boon and as to its status. You will request the U. S. Indian Agent, Union Agency, to inform you whether any application of any kind has been made affecting any allotment to Volney R. Boon.

Respectfully,

Thos Ryan

Acting Secretary.

Cherokee-10856-
10937.

Muskogee, Indian Territory, October 15, 1906.

Chief Clerk,

Cherokee Land Office.

Dear Sir:

There is inclosed herewith a copy of Departmental letter of September 28, 1906, striking the names of Volney R. and Frank Boon from the approved partial roll of citizens of the Cherokee Nation, opposite Nos. 32421 and 32759, and rejecting their applications for enrollment as citizens by blood of the Cherokee Nation.

This office is authorized to cancel the allotment made to Frank Boon and directed to advise the Department whether an allotment has been made to Volney R. Boon, and if so, to advise as to its status, and to request of the United States Indian Agent information as to whether or not any application of any kind has been made affecting any allotment to Volney R. Boon. A request has this day been made of the Indian Agent to furnish the information indicated by the Department as to the allotment made to Volney R. Boon.

Respectfully,

Incl. 8-4
LS

Commissioner.

Cherokee-10937-
10856.

Muskogee, Indian Territory, October 15, 1906.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is inclosed herewith a copy of Departmental letter of September 28, 1906, granting your motion for review of the Cherokee enrollment cases of Frank and Volney R. Boon; rescinding its decisions favorable to said applicants, and denying their applications for enrollment as citizens of the Cherokee Nation.

Respectfully,

Incl. S-3
LS

Commissioner.

Cherokee-10937-
10856.

Muskogee, Indian Territory, October 15, 1906.

J. L. Harnage,

Attorney for Frank Boon, et al.,
Tulsa, Indian Territory.

Dear Sir:

You are advised that this office is in receipt of Departmental letter of September 28, 1906, granting a motion made by the attorney for the Cherokee Nation for review of the Cherokee enrollment cases of Frank and Volney R. Boon. The Department's decisions granting the applications for the enrollment of these applicants as citizens by blood of the Cherokee Nation are rescinded and the applicants denied enrollment as citizens of the Cherokee Nation.

For your information there is inclosed herewith a copy of the Department's letter.

Respectfully,

Incl. 8-2
LS

Commissioner.

Cherokee-10937.

Muskogee, Indian Territory, October 15, 1906.

Frank Boon,
1440 East 27 Street,
Los Angeles, California.

Dear Sir:

You are hereby advised that the motion made by the attorney for the Cherokee Nation to review your Cherokee enrollment case was granted by the Department September 28, 1906; its decision of August 29, 1905, granting your application for enrollment as a citizen by blood of the Cherokee Nation was rescinded, and your application for enrollment as a citizen of said Nation denied.

Respectfully,

LS

Commissioner.

Cherokee-10850.

Muskogee, Indian Territory, October 15, 1906.

United States Indian Agent,

Union Agency,

Muskogee, Indian Territory.

Sir:

September 28, 1906, the Department granted a motion to review its decision of January 31, 1905, enrolling Volney R. Boon as a citizen by blood of the Cherokee Nation; rescinded its said decision, and denied said Volney R. Boon the right to enrollment as a citizen by blood of the Cherokee Nation, and cancelled his enrollment upon a partial roll of citizens of the Cherokee Nation opposite No. 32421. This office is directed to advise the Department whether an allotment of land has been made to said Volney R. Boon and as to its status, and to request of you whether any application of any kind has been made affecting any allotment to said person.

The records of this office show that on July 5, and 29, 1905, the following land was designated as an allotment in the Cherokee Nation for Volney R. Boon:

NE/4 of SW/4 of Section 24, Township 29 North,
Range 20 East;
NE/4 of SE/4 of Section 23, Township 29 North,
Range 20 East;
NE/4 of SW/4 of NE/4 Section 6, Township 18 North,
Range 22 East;

Allotment certificates No. 52846 and 53996, and Homestead certificate No. 33098, describing this land, have been issued.

It is requested that you advise this office, at the earliest practicable date, whether or not any application of any kind has been made to you affecting any of the above described land, and if so, the nature and status of the application.

Respectfully,

LS

Commissioner.

Muskogee, Oklahoma, June 3, 1909.

Subject:
Report on letter of
Kappler & Merrillat rela-
tive to enrollment case
of Volney R. Boon, Cherokee.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to acknowledge receipt of Departmental letter of May 27 (Cherokee File 8-61), transmitting a letter from Kappler & Merrillat demanding the restoration of the name of Volney Boon to the approved roll of Cherokee citizens, and requesting that steps be taken to prevent any other person securing rights in the lands of Volney Boon, deceased, in the event that he has already been given an allotment, and that if no allotment has been selected, the administrator of the estate shall have an opportunity to make a selection.

I am directed to make the usual report in this matter, together with a recommendation as to whether the request of the attorneys should be granted; also, that steps be taken to prevent the issuance of certificate of allotment or patent to any other person covering the improved lands, if any, claimed by Volney Boon until the Department shall have passed upon the

Secretary - 2.

request of said attorneys. The administrator is not to be permitted to make any selection unless the Department shall grant said request.

Following the usual form in reports of this nature, I have the honor to state that the name of Volney R. Boon appeared on the approved roll of Cherokee citizens opposite No. 32421, having been stricken from said roll under authority of Departmental letter of November 14, 1906.

(1) Volney R. Boon appears to have been admitted to citizenship in the Cherokee Nation by the duly constituted authorities thereof on May 21, 1887, and his name appears on the Strip Pay Roll of 1894 and on the Census Roll of 1896.

(2) The application for the enrollment of Volney R. Boon was rejected by the Commission to the Five Civilized Tribes on July 29, 1902, this decision having been affirmed by the Department on August 29, 1902 (I. T. D. 4986-1902). On January 17, 1904, on motion of the applicant, the Department rescinded its decision of August 29, 1902, and remanded the case for re-adjudication.

On December 1, 1904, the Commission rendered a decision granting the application, which was affirmed by the Department on January 31, 1905 (I. T. D. 238-1905), and the name of Volney R. Boon was placed on a schedule of citizens by blood

Secretary - 3.

of the Cherokee Nation approved on April 25, 1905.

A motion by the Cherokee Nation for a review of this case having been filed, the Commissioner to the Five Civilized Tribes, on May 29, 1906, recommended that said motion should be granted, and the Department, on September 28, 1906 (I.T.D. 10084, 10696, 12376, 12710, 12954-1906), advised the office that this name had been stricken from the roll and authorized like action by this office.

On November 7, 1906 (Land 94572-1906), the Commissioner of Indian Affairs recommended, and on November 14, 1906 (I. T. D. 22512-1906), the Department directed that the allotment selection theretofore made by Volney R. Boon be cancelled, which was accordingly done.

(3 and 4) No action has been taken under the Act of June 10, 1896.

(5) Certificates of allotment were issued and delivered but no patents were prepared for this selection.

(6) Evidence of notice of the proposed action of the Department is found in the fact that service of the motion of the Cherokee Nation was had on the attorney for the applicant, and that an answer to said motion was filed.

(7) The action of the Department of September 28, 1906, in striking this name from the approved roll appears to

Secretary - 4.

have been based on the fact that Volney R. Boon had not prior to June 28, 1898, removed to and in good faith settled in the nation in which he claimed citizenship, as was required by the Act of Congress approved June 28, 1898 (30 Stats., 495). It appears that his application for enrollment was granted under a construction of this Act that it did not apply to minors, but this was afterwards held by the Assistant Attorney General in numerous cases to be erroneous.

Inasmuch as the name of this person was not stricken from the approved roll without notice, it does not appear to me that this case falls within the scope of the decision of the Supreme Court in the Goldsby and Allison cases, and I am of the opinion that it would be unwise and would establish a precedent that would entail difficulties out of proportion with the good accomplished to undertake to so construe this decision as to include the case in question, even should the Department, after a consideration of the legal phases of the case, reach the conclusion that Volney R. Boon was in fact entitled to enrollment, and as the matter has heretofore been carefully considered this does not seem probable.

With reference to the allotment formerly selected by Volney R. Boon, it does not appear that at the time of the allotment of this land to him he was in possession of any in-

Secretary - S.

prevements, it being the former allotment of another citizen, Silas Guinn, Cherokee Roll No. 5599, whose allotment had been cancelled by reason of it having been found that he died prior to September 1, 1902, and upon the cancellation of the application of Volney R. Boon for this land, it was allotted to his minor daughter, Luriz Booth Boon, a minor enrolled under the provisions of the Act of April 26, 1906.

In view of these facts I do not believe that any steps are necessary to be taken in this matter.

The complete record in this case is on file in the Office of Indian Affairs.

The letter of Knappler and Merrillat is returned herewith.

Respectfully,

WMH: (LRA)

Acting Commissioner.

Encl. 3-8.

Through the Commissioner
of Indian Affairs.

Land.
44566-1909
55811-1909
J E D

1-27467

(Copy)

Enrollment cases of Volney,
Frank and Nancy Boone.

AUG -6 1909

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letters of May 27 and July 1, 1909 (file 5-51), there is transmitted herewith a report of June 3, 1909, from the Acting Commissioner to the Five Civilized Tribes, relative to the Cherokee enrollment claim of Volney Boone, and a report of July 12, 1909, from the Commissioner to the Five Civilized Tribes, relative to the enrollment claims of Frank and Nancy Elizabeth Boone. The records and other papers in these cases are also inclosed.

The name of Volney Boone appeared opposite No. 32421 on the schedule of citizens of the Cherokee Nation by blood, approved by the Department on April 25, 1905, and that of Frank Boone opposite No. 32759 on the schedule approved November 15, 1905. Both names were afterwards cancelled from the approved rolls. The papers show that on April 7, 1906, copies of the motions of the National attorney for the Cherokee Nation for a review in both cases were sent through registered mail to the attorneys for the applicants by H. M. Vance, who, it is understood, was at that time in the employ of the National attorney. This appears to be the only notice served on the applicants or their attorneys.

It may be questioned whether the notice given in these cases by the attorney for the Nation was a sufficient notice.

L-44566-2

The Office believes, however, that inasmuch as the attorneys for the applicants responded to the notice and filed with the Commissioner to the Five Civilized Tribes a brief on behalf of the applicants in answer to the motion of the National attorney, the applicants thereby waived the want of official notice.

It does not appear that the Department ever rendered any decision in favor of the enrollment of Nancy Elizabeth Boone. The Office is therefore of the opinion that these cases are not analogous of that of John B. Goldsby, decided by the Supreme Court of the United States on November 30, 1908 (211 U. S. 249). Your attention is invited to the case of Lillie Lowe pending in the Court of Appeals of the District of Columbia, which involves the question as to what authority the Secretary of the Interior had to strike from the approved rolls, the names of persons found by him after due notice and a hearing to be not entitled to enrollment. The Office recommends that the Department decline to take any action looking to the enrollment of Nancy Elizabeth Boone, and that no action be taken to determine the cases of Volney and Frank Boone, pending final decision by the Court of Appeals in the Lowe case above mentioned.

Very respectfully,

(Signed) R. G. Valentine,

Commissioner.

RES-2

3641

Approved August 16, 1909,
(Signed) Jesse E. Wilson,
Acting Secretary.

D-1333-1909.

Rec'd Aug. 27, 1909.

Cherokee
10356.

Muskogee, Oklahoma, September 4, 1909.

Mrs. Hattie Boon,
Tahlequah, Oklahoma.

Madam:

There is enclosed herewith a copy of Departmental letter of August 16, 1909, declining to take any action looking to the restoration of the name of your deceased husband, Volney R. Boon, to the roll of citizens of the Cherokee Nation pending final action of the Court of Appeals of the District of Columbia in the Lillie Lowe case.

Respectfully,

WSDH (LBA)

Commissioner.

Encl. 3-5.

microfilm 3/12/02

Received from the Commission to the President of the Cherokee Nation
the deposition of John B. Bland

of the Cherokee Nation

1
Charles B. Bland

of the Cherokee Nation
J. B. Bland
July 12, 1892

Cher 10857

Marcus Maxwell

Trans. from D539

Cher 10857

✓ *[Signature]*

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Marcus Maxwell for
enrollment as a citizen by blood of the Cherokee Nation.

Cherokee D. 339.

17

4

- I**

Chas. C. C. C.

Price

George S. 10mer.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 8 1900

[Handwritten signature]

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

OCT 8- 1900

Date

OCT 8- 1900

1900.

59
Name

District

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

2534

CERTIFICATE OF RECORD.

United States of America,
INDIAN TERRITORY,
SOUTHERN DISTRICT

I, JAMES A. WINSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 2 day of *October* 1896, at *Mc*, and duly recorded in Book *2*, Marriage Record,

Page *722*

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 7 day of *June* A.D. 189

By

Deputy.

JAMES A. WINSTON, Clerk.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 8 1896

FILED

OCT 10 1896

James Winston
CLERK

CERTIFICATE OF RECORD.

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

I, JAMES A. WINSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 6 day of December 1896 at M., and duly recorded in Book 2, Marriage Record, Page 122

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 7 day of Jan A.D. 1897

By

Deputy.

FILED

James Winston

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE CIVILIZED TRIBES.

FILED

OCT 8 1900

MARRIAGE LICENSE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT.

No. 47

To Any Person Authorized by Law to Solemnize Marriage--Greeting:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. *M. Maxwell* of *Bragg* in the *D.C.*, aged *49* years, and Miss *Anna C Edwards* of *Bragg* in the *D.C.*, aged *41* years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Muskogee, this *27* day of *April*, A.D. 189*6*.

Isaac Newton
Clerk of the U. S. Court.

By

Deputy.

CERTIFICATE OF MARRIAGE

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT.

I, *J M Wright*

a Minister of the Gospel,

DO HEREBY CERTIFY, that on the *10th* day of *May* A.D. 189*6*

I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this *10* day of *May* A.D. 189*6*

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District.

Book

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J M Wright
a Minister of the Gospel

NOTE.—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued, within thirty days from the date thereof, or the party to whom the License was issued will be liable to the amount of One Hundred Dollars Fine.

2000

1000

1000



Executive Department

CHEROKEE NATION, INDIAN TERRITORY

Public Law, December 17th 1888

To all whom it may concern:-

This is to certify
That by an act of the National Council,
approved November 23rd 1888, Benjamin H. Marcus and Charles Maxwell
were re-admitted to all the rights
and privileges of Cherokee citizenship.
Provided they returned to the Cherokee
Nation within one year after the
passage of the above named act.
W. J. Harris
Asst. Executive Secy.

File with
11539

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 1, 1902.

In the matter of the application of Marcus Maxwell, for the enrollment of himself as a citizen of the Cherokee Nation:

Appearances:

Applicant present in person:
W. W. Hastings, for the Cherokee Nation.

Applicant was notified by registered letter on February 12, 1902, that his application for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission on the 1st day of March, 1902, at its offices in Muskogee, Indian Territory.

Receipt has been acknowledged of the Commission's letter, and the applicant this day, to-wit: the 1st day of March, 1902, appears in person.

MARCUS MAXWELL, the applicant herein, being sworn and examined, testified as follows:

- Q What is your name ? A Marcus Maxwell.
Q How old are you ? A 54 my last birth-day.
Q What is your post office address ? A Coffeyville, Kansas.
Q You are an applicant before this Commission for enrollment as a citizen of the Cherokee Nation ? A Yes sir.
Q Where were you born ? A At Fort Gibson.
Q In the Cherokee Nation ? A Yes sir.
Q How long did you continue to live there after your birth ? A Until 1864.
Q Did you leave Fort Gibson in 1864 ? A Yes sir.
Q Where did you go to ? A To Indiana.
Q How long did you remain there ? A Until 1889.
Q You remained there until 1889 ? A Yes sir.
Q Then where did you go ? A Come to the Territory.
Q How long did you remain here ? When you came here in 1889 how long did you remain here ? A After I got a place and everything fixed I went back to Indiana in February.
Q What time in 1889 did you come here ? A The 22nd day of November.
Q And remained until February, 1890 ? A Yes sir.
Q Then you went back to Indiana ? A Yes sir.
Q How long did you remain there ? A Until 1893.
Q Then where did you go ? A Come to the Territory.
Q Were you admitted to citizenship in the Cherokee Nation ? A Yes sir.
Q When was that ? Do you remember the exact date ? A In 1888 I believe.
Q You were living in Indiana when you were admitted ? A Yes sir till I come here.
Q When you were admitted were you living in Indiana or the Indian Territory ? A In Indiana I think.
Q You were admitted in 1888 ? A Yes sir.
Q What month ? A In November, I think. I aint certain. A year from the time I come to the Territory.
Q In November, 1889 you came to the Indian Territory ? A Yes sir.
Q Have you lived here continuously since you came here the last time in 1893 ? A Yes sir I have.
Q Are you certain as to the time of your return here in 1888 ? Are you certain as to what month it was ?

A It was the 22nd of November.

Q That you came back to the Indian Territory ? A Yes sir.

Examined by Mr. Hastings:

That's when you came out here to apply for re-admission to citizenship ? A Yes sir. I had been admitted one year before that.

Q You came the following year ? A Yes sir.

Q How do you remember now that it was the 22nd day of November that you came here ? A That's the day we got into the Territory.

Q How do you remember ? A From my brothers.

Q Did they tell you that was the time ? A This brother was with me.

Q Is that the way you know it ? A No, I knowed it myself.

Q Where were you on the 22nd day of the next November ?

A I was in Indiana.

Q Where did you buy a place ? A Near Braggs Station; about a mile from there.

Q Who from ? A His name was Gunter, I don't remember his name.

Q You don't remember his name ? How much did you give for it ?

A \$100.00

Q Just bought a claim on the public domain didn't you ?

A No, he worked on it.

Q Did you put a renter on it ? A Oh no my brother stayed here.

Q You and your brother together bought a \$100.00 place ? Is that the way of it ? A Yes sir. After I went back to Indiana I bought another place.

Q You came back in 1893 ? A Yes sir.

The Commission: Do you desire to make any further statement now about your application for enrollment ?

A No sir, I believe not.

Q Do you submit the case to the Commission for final consideration ?

A Yes sir.

--The applicant and representative of the Cherokee Nation present submit the case, and the same is ordered closed, and reported to the Commission for final decision based upon the evidence now of record.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell

Subscribed and sworn to before me this March 3, 1902.

W. D. Ennis

W. D.

Commissioner.

"R"

Cherokee D 539

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 1, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Marcus Maxwell for the enrollment of himself as a Cherokee citizen.

Appearances:

Applicant in person;
W.W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 12, 1902, that his application for enrollment as a citizen of the Cherokee Nation would be taken up by the Commission for final consideration at its offices in Muskogee, Indian Territory, on the first day of March, 1902; receipt has been acknowledged of the Commission's letter and the applicant this day, to-wit: March 1st, 1902, appears in person.

MARCUS MAXWELL, being first duly sworn and being examined testified as follows:

BY COMMISSION:

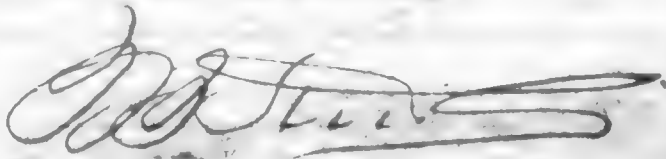
- Q What is your name? A Marcus Maxwell.
Q How old are you? A 54 past.
Q What is your post-office address? A Coffeyville, Kansas.
Q You are an applicant before the Commission for enrollment as a citizen of the Cherokee Nation? A Yes sir.
Q Is there any further statement you desire to make relative to your enrollment? A No sir, I believe not.
Q You submit the case to the Commission for final consideration?
A Yes sir.

BY COMMISSION: The applicant and the representative of the Cherokee Nation present submit the case and same is ordered closed and reported to the Commission for final decision, based upon the evidence now of record.

M.D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D. Green

Subscribed and sworn to before me this March 5, 1902.



Commissioner.

Cherokee D 539

EXECUTIVE DEPARTMENT

Cherokee Nation, Ind. Ter.

Tahlequah, December 17th 1889.

To all whom it May Concern:-

This is to certify that by an act of the National Council approved November 23rd 1888, Benjamin F. Marcus, and Charles Maxwell were re-admitted to all the rights and privileges of Cherokee citizenship, Provided they returned to the Cherokee Nation within one year after the passage of the above named act.

C. J. Harris

Seal

Ass't Executive Sec'y.

Muskogee, I. T., May 23, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of a record which is now on file in the office of the Commission.

H. M. Vance

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Marcus Maxwell for the enrollment of himself as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on October 8, 1900, Marcus Maxwell appeared before the Commission at Bartlesville, Indian Territory, and made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 1, 1902. The application also included his wife Serena C. Maxwell, but she is differently classified and is not embraced in this decision.

The evidence shows that Marcus Maxwell, among others, was re-admitted to citizenship in the Cherokee Nation on November 23, 1888, "provided, they returned to the Cherokee Nation within one year after the passage of the above named act." The evidence further shows that he returned to the Cherokee Nation on the 22nd day of November, 1889. He is identified on the Cherokee Census Roll of 1896, as a native Cherokee, and has resided continuously in the Cherokee Nation up to and including the date of this application since 1893.

It is, therefore, the opinion of this Commission that Marcus Maxwell should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.


Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 4 1902

113
DEPARTMENT OF THE INTERIOR,
Commission of the Five Civilized Tribes,

Muskogee 1. 1. October 8th 1902.

C. D. 539.

In the matter of the application of Marcus Maxwell for enrollment as a citizen of the Cherokee Nation by blood.

Motion to reopen case.

Comes now the ~~representative of the Cherokee Nation~~ Cherokee Nation and moves the Commission to reopen the above entitled cause in order that the Cherokee nation be permitted to introduce further testimony tending to disprove the right to the applicant to be enrolled as a citizen of the Cherokee nation and to show that the applicant did not comply with the terms of his readmission to citizenship in the Cherokee nation; that he did not locate within the limits of the Cherokee Nation. The Cherokee nation has witnesses at Brang that it desires to introduce in this case by whom it expects to prove its contentions as above set forth..

For the reasons above stated the Cherokee Nation respectfully asks that the judgment in this case be set aside in order that a further hearing on the question of fact may be had.

Respectfully submitted,

W. A. Hastings
Attorney for the Cherokee Nation. (13)

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,

Muskogee I. T. October 25th 1902.

In the matter of the application of Marcus Maxwell for the enrollment of
himself as a citizen of the Cherokee Nation.

Cherokee D. 539.

United States of America,

Indian Territory

Western District SS.

J. C. Starr of lawful age being duly sworn on oath
states that the motion ~~for~~ to reopen the case of Marcus Maxwell for
further hearing on the question of fact is not made for the purpose of
delay but that justice may be done; that the Representatives of the
Cherokee Nation expect to produce witnesses to disprove the applicants
right to enrollment and to show that he has not complied with the provis-
ions of the act admitting him; That he did not remove to and locate
in the Cherokee Nation within the one year as required by said act.

----- J. C. Starr -----
Subscribed and sworn to before me this 25th day of October 1902.

----- J. B. Jones -----
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of)
Marcus Maxwell for the enrollment)
of himself as a citizen by blood of) MOTION TO REOPEN CAUSE.
the Cherokee Nation.)

STATEMENT OF RECORD.

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The record in this case shows that on October 8, 1900, Marcus Maxwell appeared before the Commission to the Five Civilized Tribes, and made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, March 1, 1902. On September 20, 1902 the Commission rendered a decision granting the application of Marcus Maxwell for the enrollment of himself as a citizen by blood of the Cherokee Nation.

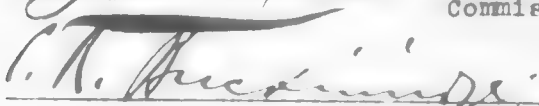
On October 8, 1902, the Cherokee Nation by its representative, filed a motion to reopen the cause, in order that it might be permitted to introduce further testimony tending to disprove the right of the applicant to be enrolled as a citizen of the Cherokee Nation, and to show that he did not locate within the limits of the Cherokee Nation within the time prescribed in the act admitting him to citizenship in said Nation.

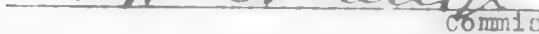
-----ORDER-----

It is, therefore, ordered by the Commission that the motion to reopen this cause, be, and the same is hereby allowed, and that the decision of the Commission heretofore rendered be set aside and held for naught.

It is further ordered that this cause be set down for further hearing at the offices of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on the 17 day of November, 1902.



Acting Chairman.


Commissioner.


Commissioner.

Dated at Muskogee, Indian Territory,
this 14th day of November, 1902.

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, November 17th, 1902.

In the matter of the application of Marcus Maxwell for the enrollment of himself as a citizen by blood of the Cherokee Nation.

Supplemental to D-539.

It appears from the record in this case that on September 20th, 1902, the Commission to the Five Civilized Tribes rendered a decision granting the enrollment of Marcus Maxwell as a citizen by blood of the Cherokee Nation.

It further appears that on the 29th day of September, 1902, a copy of said decision was forwarded to the attorney for the Cherokee Nation and he was notified that he would be allowed 15 days to file such protests as he desired to make to this action.

On October 8th, 1902, the Cherokee Nation filed a motion to reopen the case, alleging that the applicant did not comply with the terms of his readmission to citizenship in the Cherokee Nation.

On the first day of November, 1902, the Commission ordered that the motion of the Cherokee Nation to reopen this cause be allowed, and that the decision theretofore rendered be set aside and held for naught.

And it was further ordered that this cause be set down for hearing at the office of the Commission to the Five Civilized Tribes in Muskogee, Indian Territory, on the 17th of November, 1902.

On the 3rd day of November, 1902, the applicant was furnished with a copy of said order and on the following day, to-wit: the 4th day of November, 1902, the Cherokee Nation was furnished with a copy of said order.

The applicant appears this day in person and the Cherokee Nation appears by J. C. Starr.

The applicant, Marcus Maxwell, was recalled for further cross-examination and, being duly sworn, testified as follows:

Examination by J. C. Starr.

- Q. What is your name? A. Marcus Maxwell.
Q. What is your age? A. 55 last--3rd day of last March.
Q. What is your post office? A. Coffeyville, Kansas.
Q. How long have you lived near Coffeyville, Kansas? A. 3 years.
Q. Where did you live before that? A. Braggs Station.
Q. How long did you live at Braggs Station? A. Well, that was--- I come there in '73, or '93.
Q. Comes to Braggs Station in '93? A. Yes, sir.
Q. Did you live at Braggs Station from 1893 up to 3 years ago?
A. Yes, sir.
Q. Where did you come from when you went to Braggs? A. Indiana.
Q. What town? A. Mitchell.
Q. What county is that in? A. Lawrence.
Q. When did you first come to the Cherokee Nation? A. In '89.
Q. What time in '89? A. In November.
Q. In November, 1889? A. Yes, sir.
Q. What time did you leave Indiana? A. When I started to the Territory?
Q. Yes. A. It was September.
Q. September, 1889? A. Yes, sir.

Q. Where did you start from? A. Started from Mitchell, Indiana.

Q. Did you live in the town of Mitchell? A. Yes, sir.

Q. How did you come to the Cherokee Nation from Mitchell?

A. On the river.

Q. In a boat? A. Yes, sir.

Q. Where did the land the first time? A. The first time?

Q. Yes. A. Oh, stopped at different places along the river.

Q. What river was it? A. Ohio.

Q. What was the first point in the Cherokee Nation that you struck? A. Down to Cherokee, I believe they call the station.

Q. That is what they call it now; close to Fort Smith?

A. Yes, sir.

Q. Did you come to that place in a boat? A. Oh, no.

Q. How did you get there? A. Come on the train.

Q. Where did you leave the river? A. At Fort Smith.

Q. When did you land in Fort Smith? A. I don't know just what day it was. In November, though.

Q. Was it before Thanksgiving in November, or after? A. Before.

Q. How long before? A. It must have been 8 or 10 days.

Q. How long did you stay in Fort Smith when you stopped there?

A. We come right up to Braggs.

Q. Did you stay over night in Fort Smith? A. I don't know just how long. After we come to Cherokee we come right to Braggs Station.

Q. I mean how long did you stay in Fort Smith? A. I don't remember.

Q. Did you stay there any length of time? A. No, not long.

Q. Did you stay there several days? A. No.

Q. Stay there one day? A. Yes, sir; stayed there one day.

Q. Where did you stay; that is, at whose house? A. We didn't put up to no hotel.

Q. Where did you stay? A. I believe we went to the wagon yard.

Q. Did any of the crowd have any household goods with you, or property? A. No, sir; it was just me and my brother.

Q. Don't you know how long you stayed in Fort Smith? A. No, sir.

Q. Two or three days? A. Yes, may be 2 or 3.

Q. How did you go over to Cherokee? A. I believe we walked over there and then took the train.

Q. Do you know what time in 1889 you landed in Fort Smith?

A. I don't remember just what day it was.

Q. Are you sure it was 1889? A. Yes, sir.

Q. How do you fix that time? A. Because I know it was.

Q. Have you got anything to refresh your memory so that you know it is in 1889? A. Why, yes.

Q. Was there anything that happened so that you can refresh your memory? A. I know it is that because that is the year I come here the first time.

Q. Where did you go from Cherokee? A. Went to Braggs Station.

Q. Where did you stop there? A. With my brother.

Q. Was your brother living there? A. Yes, he never left the Territory in the war. He never left the Territory at all.

Q. How long did you stay there at that time? A. To Braggs?

A. Yes. A. I lived there about--well, it is just before Christmas, about.

Q. Well, how long did you stay at Braggs after you come? A. I never noticed just how many days it was. I stayed there long enough to get a place and leave it with my brother.

Q. Then where did you go? A. Went back to Indiana.

Q. How long did you stay there? A. '93.

Q. How did you go? A. On the train.

Q. Where from? A. From Fort Smith.

Q. Went from Fort Smith to Indiana? A. Yes, sir.

- Q. Where is this place located that you got in 1889?
 A. East of Braggs; southeast of Braggs.
- Q. How far? A. About a mile. A little bit over a mile.
- Q. Did you own that place or did some one else own it?
 A. I bought it from an old man down there?
- Q. What did you give him for it? A. One hundred dollars.
- Q. Did you get a bill of sale for it? A. Yes, sir.
- Q. When was that bill of sale drawn; at that time? A. Yes, at that time.
- Q. What was the man's name from whom you purchased the place?
 A. Sanders.
- Q. What Sanders? A. I can't think of his given name. He is right out there. You can soon find out.
- Q. You don't know his g'iven name? A. I know it but I can't think of it now.
- Q. You bought a place from Sanders? A. Yes, sir; his name is Sanders.
- Q. Where is he now? A. He is right out there.
- Q. Is that the place that your brother occupies down there now?
 A. Yes, sir; one of them has it.
- Q. One of your brothers has that place now? A. Yes, sir.
- Q. When did you come again after you went back that time?
 A. In '93.
- Q. Well, now, how many days were you here in 1889? A. I never took notice.
- Q. Just made a trip here and went back? A. Yes, sir.
- Q. How do you fix it that it was in November, 1889? A. Because I know that was the month I come in.
- Q. You know you come in the month of November? A. Yes, sir.
- Q. What time in November was it that you come to Braggs?
 A. I don't remember just what day it was.
- Q. You don't remember now when that was? A. No.
- Q. You are satisfied it was in 1889? A. Yes, sir; I know it was.
- Q. Is that all the purchase of property you made, that place in 1889? A. Yes, that is all the place I got just then.
- Q. Did you buy that place yourself or just an interest? A. I bought that place myself and I bought another place after I went back.
- Q. How long after did you buy the other place? A. It was in 1891, I believe.
- Q. Did you pay cash for this place you bought in 1889? A. I paid cash for both of them.
- Q. What became of the place you first bought? A. I let my brother have it.
- Q. Did your brother have any interest in it at the time you first come here? A. We all, together.
- Q. The purchase price of the place was \$100? A. Yes, sir.
- Q. How much of that money did you put in? A. I paid it all in the commencing.
- Q. How did they acquire an interest in it? A. I let them have it.
- Q. Did you buy it for yourself and brothers or for yourself?
 A. No, sir; all.
- Q. Who was living on that place? A. Dan Roach. That is the man I bought it from.
- Q. I thought you said you bought it from a man by the name of Sanders? A. Did I say Sanders? Roach is his name. Dan Roach.
- Q. Where did this brother live at that time? A. About a half a mile from the place I bought of Roach.
- Q. How long had he been living there? A. Some 12 or 15 years. He had been in the Territory all his life.
- Q. What time in November was it that you say you came to the Cherokee Nation? A. 22nd of November.

Q. How do you fix that date? A. Because I remember that is the date.

Q. Have you got anything to fix that date? A. Nothing at all that happened.

Q. You just remember it was the 22nd day of November, 1889?

A. I know that, yes.

Q. Did you come here to apply for readmission to citizenship before that? A. My brother was here.

Q. Well, did you ever make a trip here when you were applying for readmission? A. Not until I come with my brother, I didn't.

Q. That is the first time you came here? A. Since I left; yes, sir.

Q. When you were before the Commission for enrollment on October 8th, 1900, you said that you went away in 1864 and stayed away until seven years ago. Is that true? A. I came back before that. If I said that I made a mistake.

Examination by the Commission.

Q. You are positive that it was the 22nd day of November, 1889, that you came to Fort Smith, or that you come to the Cherokee Nation? A. Yes, sir; it was.

Q. Are you positive of that date? A. Yes, sir.

Q. Did you come before or after Thanksgiving? A. Why, before; of course.

Q. How long before? A. I don't know.

Q. Haven't you any idea how long it was before that time?

A. The 22nd you know that ain't many days before that.

Q. Well, how many days before Thanksgiving was it that you come to the Cherokee Nation, do you know? A. From the 22nd to the 28th, whatever Thanksgiving come on.

Q. Didn't you state the last time you appeared before this Commission in March, 1902, when you come to the Cherokee Nation you bought some property from a man by the name of Gunter?

A. That is the last I bought.

Q. Did you buy property before that? A. The Dan Roach place, yes.

Q. How much did you pay for that Dan Roach place? A. \$100.

Q. How much did you pay Gunter? A. \$150.

Q. Are you living in the nation at this time? A. Yes, sir.

Q. Living on this side of the Kansas line? A. A little bit over half a mile from the Kansas line.

Q. Living on a farm? A. Yes, sir.

Q. Have you been living there continuously for the past 3 years?

A. Yes, sir.

Q. Then you came in 1893, after you left here in 1889?

A. Yes, sir.

Q. You have never been back to Indiana? A. No, sir.

ARMSTRAD MAXWELL, being duly sworn, testified as follows.
Cross Examination

by

Mr. Starr.

Q. What is your name? A. Armstead Maxwell.

Q. What is your post office? A. Wann.

Q. What is your age? A. 60.

Q. Are you acquainted with Marcus Maxwell, the applicant in this case? A. Yes, sir.

Q. What relation are you to him? A. I am his brother.

Q. Do you know how long he has been living in the Cherokee Nation?

A. Yes, sir; I know when he come back.

Q. That is the last time? A. No, the first time. Well, I know when he returned both times.

Q. When did he return the last time? A. He returned last in '93.
 Q. Where had he been living before that? A. He was out in Indiana.
 Q. When did you come to the Cherokee Nation? A. Why, I been here all my life; never been out.
 Q. Where have you been living most of the time? A. Well, I was raised at Fort Gibson. I lived there quite a while after the war and moved over on Greenleaf where Braggs Station is now.
 Q. When did you move over there? A. I moved over there in '77.
 Q. When did Marcus Maxwell come to the Cherokee Nation the first time? A. In 1889.
 Q. How do you fix that date? A. How do I fix it.
 Q. Yes, sir. A. Well, because he come to my house. He was at my house. He stopped there.
 Q. What time of the year was it? A. It was sometime in November. I don't know just what time. It was in the month of November.
 Q. How do you fix it in November? A. Well, the way I fix it he was readmitted by the council in 1888 and he was to return within 12 months and he come here just a few days before that time expired.
 Q. Where were you living? A. Living on Greenleaf.
 Q. How long did he stay? A. He stayed two or three months. I don't remember just how long.
 Q. Where did he stay? A. He stayed with me.
 Q. Did he buy a place there on that trip? A. Yes, he bought a place a short time after he come in. I can't tell just how long. May be 10 days, may be 2 weeks.
 Q. Who did he buy that place from? A. Bought it from Dan Roach.
 Q. Did he buy it alone? A. There was two of them together. My understanding is they were in partnership. He was the man that paid for it. They made it up some way between them.
 Q. He owned an interest in the place then? A. Yes, sir.
 Q. Well, on what day in November was it he come to your house?
 A. Why, I couldn't tell you just what day it was.
 Q. Do you know it was in November? A. Yes, sir; I know it was in November.
 Q. Are you positive it was in 1889? A. I knew it was November because it was in time of council.
 Q. Council is in December, is it not? A. Well, it used to go out in December.
 Q. Was it before Thanksgiving that he come to your house?
 A. I couldn't tell you anything about that.

Examination by the Commission.

Q. How long did he stay here when he come in 1889? A. He was there two or three months.
 Q. Was he a married man at that time? A. No, sir.
 Q. What was he doing prior to his coming from Indiana?
 A. He went back to Indiana. I guess he was working on the railroad. He had some money to collect, that was coming to him.
 Q. He was four years collecting that money, was he? A. No, sir; I don't know as he was.
 Q. What was he doing when he went in 1889 and until he come back in 1893? A. He was working on the railroad.
 Q. Was he keeping house? A. No, sir; he had no family.
 Q. Are you positive he stayed three months? A. Yes, sir.
 Q. What did he do when he was here? A. He wasn't doing anything.
 Q. Did he cultivate land? A. He bought that place, all right.
 Q. Did he work it? A. No, sir; it was winter.
 Q. Did he ever derive any revenue from that property?
 A. Yes, sir; it was rented. The first year the other brother worked it.
 Q. Was Marcus paid any rent for that land from 1889 to 1893?

A. Yes, sir. I know I rented it from him one year.
 Q. Did they pay the rent to him? A. Yes, sir.
 Q. Where has your brother been living since 1893? A. He lived there at Braggs a while.
 Q. Has he been living in the Territory since that time?
 A. Ever since he come back in 1893 he has been there until about three years ago, then he went to Cooweescoowee; been living down in Cooweescoowee district.

DAN ROACH, being duly sworn, testified as follows.

Cross Examination

by

Mr. Starr.

Q. What is your name? A. Dan Roach.
 Q. What is your age? A. About 60 or 70.
 Q. What is your post office? A. Braggs.
 Q. Are you acquainted with the applicant, Marcus Maxwell?
 A. Well, I won't say I am well acquainted with him. I have seen him a good many times pass and re-pass about Braggs.
 Q. When was the first time you ever saw him? A. Lets see. I am uncultivated and I am pretty old. I will have to study on that. I expect my wife has been dead 13 years. Well, betwixt 13 and 14 years ago. That is the first time I ever saw him.
 Q. Where did you see him the first time? A. The first time I saw him I saw him at Braggs.
 Q. What was he doing there? A. I ain't able to state what his business was. He come there at his brothers. He come there at Armstead Maxwell's. There was two of those brothers. Armstead Maxwell had been telling him about my place. He wanted it. He was at me to sell it. I told him I would sell it so I did so. I sold him my place.
 Q. When did your wife die? A. Oh, well, she died I reckon about---I don't know. I am uncultivated. I can't recollect it. It must have been four or five months after, I sold him the place.
 Q. Was it after you sold the place, or before? A. It was before.
 Q. Was it as much as a year before you sold the place?
 A. I guess so. I can't remember.
 Q. Do you know exactly when your wife died? A. No, sir; I don't. That is what I tell you.
 Q. Where were you living when your wife died? A. I was living at Greenleaf on the place I sold.
 Q. How long had your wife been dead when you sold this place?
 A. That is what I can't tell you. I ain't able to keep account. I been here in old slavery time.
 Q. Who did you sell that place to? A. I sold it to Marcus Maxwell.
 Q. Did you have any writing? A. I gave him a bill of sale for the place. He paid me \$150 if I mistake not. Now, if I ain't mistaken I gave him a bill of sale for that place.
 Q. Who drew that bill of sale? A. Afterwards he come and told me he lost that bill of sale, if I would give him another. So I went over and had another wrote and give him. What he done with the first one I ain't able to say.
 Q. How long after that was it you drew the second one? A. After?
 Q. After you made the first bill of sale? A. I don't know. To tell the truth about it I can't tell. It has been so long, Mr. Starr.
 Q. Do you know when it was you sold him that place? A. No, sir; I couldn't tell exactly the time, but from the way I have talked with people, I heard people talking when my wife died and they said it was about 13 years. That is all I goes by. It has been about

about 13 or 14 years when they bought that place. I think may be it was a year after of a year and a half after she died. I am just guessing at it.

Q. You are not positive when it was? A. No, sir; I can't tell you.

Q. Was it before the strip payment? A. I don't know when the strip payment was.

Q. How long before? A. Well, I tell you I don't know when the strip payment was. Oh, yes. My wife died before the strip payment. Which payment do you call the strip payment?

By the Commission.

The big payment made to the Cherokees by blood? A. She died before.

By Mr. Starr:

Was it a great while before? A. I don't know. I want to tell the truth as near as I can. I am not able to tell you.

You want the exact date. I can't do it, and my reason want let me.

Q. Was it before the strip payment you sold this place? A. Well, I disremember. I disremember. I sold my place. He gave me \$150. I gave him a bill of sale.

Q. Who did you make the bill of sale to? A. To those two, Marcus and Charley. He and Ar,stead lived close together. Only lived half a mile apart.

Q. You sold the place to both of them? A. One talked and the other give me the money.

Q. You made the bill of sale to both of them? A. Yes, sir. They said they lost it.

Q. You have no idea when it was? A. No, sir; I couldn't, to tell the truth about it.

C. L. MAXWELL, being duly sworn, testified as follows:
Cross Examination

by

Mr. Starr.

Q. What is your name? A. C. L. Maxwell.

Q. What is your post office? A. Braggs.

Q. What is your age? A. Why, there is a difference in the record. It was lost but I have always remembers that I was born in '57.

Q. Do you know Marcus Maxwell? A. Yes, sir.

Q. What relation is he to you? A. Brother.

Q. How long has Marcus Maxwell lived in the Cherokee Nation?

A. Well, now, after he went back to Indiana it was sometime that he was working at the railroad work there before he could leave there. I think he come here in '92 or 3 but I have no record of that. I know it was right along at that time.

Q. Where were you living at that time? A. Well, I was living here. I never was away only working at my trade in Arkansas and in Missouri.

Q. How long have you lived in the Cherokee Nation? A. I have lived here since I was readmitted. That is, I was born at Fort Gibson and when I was a little school boy, I was taken away from the school in '64.

Q. When did you come back? A. I come back a time or two to visit my brother Arstead. I couldn't give the times, but I was readmitted in '86. I have had my home here ever since I was readmitted. I haven't been here all the time.

Q. You were readmitted in 1886? A. 1886, when I was working with my brother to be readmitted, I made my home with my brother.

Q. How long did you stay there? A. I stayed there until the following year, then I went back to get my brothers. I went in the summer of '89.

Q. What time in the summer? A. In the summer is all I know.

Q. Do you know what months? A. I couldn't say. I know I got back to where he was working on the railroad in Indiana in September or October, along there.

Q. How did you go from here there? A. Well, I would work at my trade in one town, then take the train and go to some other point.

Q. Do you know what month it was you left here? A. No, I don't. I know it was about the middle of '89. I agreed to be back, under the Cherokee law--he made arrangements to be her in a certain time after we were readmitted.

Q. When did you get there? A. In September or October. I know it was in the fall of 1889. After I saw him I went and saw my brother that is medical dean of the Normal or Lebanon University.

Q. Which brother is that? A. B. F. I went to see my brother in the university.

Q. Did he come? A. No. He had me give him a map of the land and he said I could get it for him and he said he couldn't come but he could get it through us, get the land and we could all hold our rights in that way. That is all the way he could figure it. He was medical dean and couldn't come.

Q. Marcus is your brother? A. Yes, sir.

Q. When did you see him in the fall of 1889? A. I saw him first. He was at Mitchell or Bedford, the county seat. He was working at Mitchell and Bedford on the railroad.

Q. What railroad was he working for? A. L. & A. & C. That is Louisville, Alton and Chicago. They used to call it the long, awkward and crooked. And the O. & M. I would state to the best of my knowledge, he being at Bedford, I know he must have been working for the L. & A. & C.

Q. When did he start from Indiana? A. Well, he started with me.

Q. When did you start? A. Well, it must be in September or October, along there sometime.

Q. Where did you go. We took the O. & M. as I remember, and it seems to me that we went to Cincinnati, but I don't know. I didn't keep any record. I don't know whether we went by Indianapolis or not but we went to Lebanon to see our brother the doctor.

Q. Where did you go from Lebanon? A. We went from Lebanon to Cincinnati.

Q. How long did you stay there at Cincinnati? A. Didn't stay there long. I worked as little at my trade as we went down on the boat. I declare I couldn't say positive how long. I know I worked at my trade. I can call to mind restaurants and bakeries we got lunches in.

Q. How long did you stay in Cincinnati? A. Well, now, I don't know. It would just be this way about that. I couldn't tell how long I worked any where.

Q. Where did you go from Cincinnati? A. We went down the river by way of Louisville. We had to stop there on account of the boat being out of order or the river being too high or something. We went down the river to Cairo and Memphis, it seems to me.

Q. How long were you on that trip? A. We were quite a while on the trip. I was close on money and wanted to make something. We didn't get in the Territory only just a little time to save ourselves, I know.

Q. How long were you on the trip? A. Well, we were 2 or 3 months, as I remember it. It seems something like 2 or 3 months. I know we just got in here before the year expired a very short time.

Examination by the Commission.

- Q. That was in 1889? A. In 1889?
Q. Yes. A. Yes, that was in 1889.
Q. What do you mean by a short time before the year expired?
A. We were admitted on Senate bill 41, and that was in 1888.
Q. What time? A. 22nd of November, concurred in by the house on the 23rd and we would have to get in the before the time, counting the time of the concurrence by the Senate.
Q. Did you come in as much as a week before that time?
A. I don't think so.
Q. Was it as much as a day? A. Yes, sir. I know it was such a close out we considered we just saved ourselves. Of course if we had mean and I didn't have to work at my trade we would have come right along.
Q. How long did your brother stay there that time--Marcus?
A. He just stayed a short time. He just went to secure his rights. Then he had to go back. He was railroad from the first. He wanted to go back and make some money, and he had some money in the building and loan.
Q. Did he come out just to secure his rights? A. He wanted to secure his rights and then return. Of course, you see the man didn't know anything but railroading. He wanted to go back.
Q. When he returned in 1889 how long did he stay? A. He was gone 2 or 3 years, something like that.
Q. During that time did you have any correspondence with him?
A. Yes, sir; I was writing to him.
Q. What was he engaged in? A. Railroading. He never knew anything under Heaven except to use a spike maul.
Q. When did he come back? A. He come back in '92 or 3.
It was just a year or two after '90 is all I know.

BY MR. STAHR:

The representative of the Cherokee Nation moves that this case be continued until December 2nd, 1902, for the reason that it has been unable to produce its witnesses at this time; that it has used due diligence to secure their attendance but for some reason they have failed to appear. It is not made for the purpose of delay but that justice might be done.

BY THE COMMISSION:

The case will be continued until the 2nd of December, 1902, and the applicant is notified of this action.

BY MR. C. L. MAXWELL:

Can I make a statement?

BY THE COMMISSION:

Yes, sir.

BY MR. MAXWELL:

I would simply like to say this, that he was anxious, of course, to go back to his work, to make money and to see about the money he had in Indiana, and so on, and that, as I said, he didn't stay long, and that having just such a small place to hold his rights, he come again in 1893, I think it was, and he made another purchase. He wanted more holdings. And I expect that somebody thought that that was the only time he had come, or his first time of coming or returning. I thought may be that some thought that was his first time of coming.

BY THE COMMISSION:

That is not it at all. The contention is when did he come here the first time.

BY MR. MAXWELL:

That is all right. I thought some didn't know his first coming.

November 18th, 1902.

NANCY SEIGEL, being duly sworn, testified as follows:

Examination by the Commission.

Q. What is your name? A. My name is Nancy Seigel now, my name was Nancy Dunbar at the time you want to ask me about.

Q. What is your age? A. 52.

Q. What is your post office? A. Briggs.

Q. Do you know Marcus Maxwell? A. Yes, sir.

Q. How long have you known him? A. Ever since in 1889.

Q. What time in 1889 did you learn to know him? A. He come to my house in November, 1889. We was digging potatoes, the reason I remember.

Q. Do you remember what time in November? A. I don't know the exact day of the month. It was in November.

Q. How many weeks after the first of November? A. I don't know. We was digging potatoes in November, Irish potatoes. They come to my house and helped.

Q. Was it the first of last of November? A. I don't remember that. It was in November.

Q. You are positive it was in November? A. Yes, I am almost positive it was.

Q. How long did he stay there? A. I don't know exactly how long he stayed there but he helped dig potatoes at my house.

Q. Do you know where he went, whose house? A. Yes, sir; he went to his brother's, Armstead Maxwell.

Q. Do you know how long he stayed there? A. I don't know how long he stayed there. He has been around there ever since then. He went off a little while. He come back.

Q. How long was he gone? A. I don't remember exactly.

Q. Since he come how long has he been there continuously?

A. 2 (no response)

Q. He has been there all the time since he come back?

A. Oh, yes. Yes, he bought a little place there. Charley Maxwell is living on it now. Bought it of Dan Roach, an old darkey.

Examination by Mr. Starr.

Q. How do you fix it that it was in 1889? A. Well, I know it was in 1889. I ain't around fixing the year. It was in that year, in November. Did I say '89?

Q. Yes, ma'am. A. Well, I think it was 1889. I am almost positive it was 1889.

Q. Are you sure it was '89 or '90? A. Oh, no; it was in '89.

Q. Was there anything that happened-----

A. Why, goodness sakes alive, you think I would be crazy and wouldn't know if it was 1889? I have known his brother Armstead ever since '77. They lived right there on my place.

Q. What year was it then he left? A. I don't remember what time it was when he went off.

Q. Do you know when he come back the second time?

A. He come back the second time--I think he was there when they enrolled. I won't be positive but I think it was in '93 or '92. I don't know which. He was back at home at Armstead's.

Q. Well, which was it, 1892 or '93? A. Well, I told you I didn't exactly remember what year it was, it was in '92 or '93 when we enrolled and I think Mark was back then.

Q. How long did he stay the first time he come?

A. I don't remember that either. He and Armistead lived about a mile apart, but I never took any notice and didn't think there would be any hereafter about it. Anything I want to notice I can remember way long back better than I can a year ago.

Q. You can remember when he come in '89 better than you can when he come in '93? A. Yes, sir.

Q. Are you any relation to these Maxwells? A. None whatever.

Q. How long have you been living in the Cherokee Nation?

A. I was born and raised in the Cherokee Nation; been here all my life. I have lived right there. I lived there from '77 until--- well, I don't live there on my place, I rent it.

Q. What did Marcus do when he come there in 1889?

A. Well, he helped dig potatoes.

Q. He come down on such a kind of a visit and then went back?

A. No he come down and dug potatoes.

Q. You don't know how long he stayed there?

A. No, I don't know that but I know he was there.

Jesse G. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 19th day of November, 1902.

B. E. Jones
Notary Public.

Cherokee D 539.

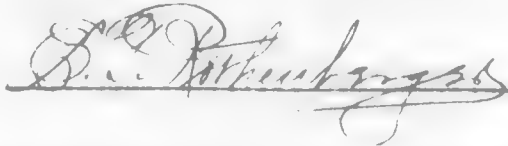
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Tahlequah, Ind. Ter., January 15, 1904.

In the matter of the application of Marcus Maxwell for the enrollment of himself as a citizen by blood of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

Now comes the Cherokee Nation by its representative, J. C. Starr, and states that the nation has no further evidence to offer in this case and submits the same for decision on the evidence now of record.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings in this case, and that the foregoing is a true and correct copy of the same.



Subscribed and sworn to before me this 19th day of January, 1904.



Notary Public.

STATE OF THE INDIAN,
COMMISSIONER OF THE INDIAN TERRITORY.

In the matter of the application of Marcus Maxwell for the
enrollment of himself as a citizen of the Cherokee Nation.

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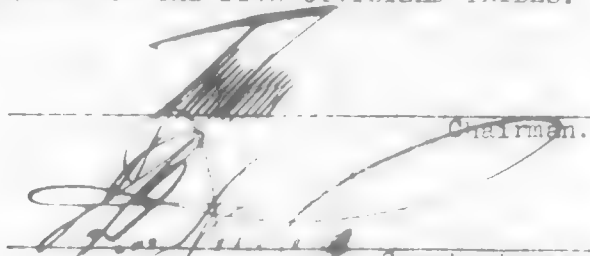
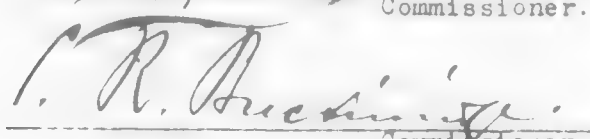

The record in this case shows that on October 8, 1900, Marcus Maxwell appeared before the Board of Commissioners at Bartlesville, Indian Territory, and made application for the enrollment of himself as a citizen of the Cherokee Nation. Further proceedings in the matter of this application were had at Muskogee, Indian Territory, on November 1, 1900. The application also included his wife, Mrs. C. Maxwell, who is differently classified and is not a party to this decision. The record further shows that on the tenth day of November, 1900, the Board rendered its decision enrolling said Marcus Maxwell as a citizen of the Cherokee Nation. Thereafter on October 22, 1902, the Cherokee Nation filed a petition to reopen said case for the purpose of introducing further testimony, and on November 1, 1902, this Commission allowed said petition and ordered that additional testimony be taken. Proceedings were had at Muskogee, Indian Territory, on November 17, 1902, pursuant to the Commission's said order, and thereafter at Bartlesville, Indian Territory, on January 10, 1904, the Cherokee Nation submitted the case for a decision in the evidence now of record.

The evidence shows that Marcus Maxwell, among others, was re-admitted to citizenship in the Cherokee Nation on November 23, 1901, "provided they returned to the Cherokee Nation within one year after the passage of the above named act." The evidence further shows that he returned to the Cherokee Nation on the third day of January, 1901, and after a temporary absence he again returned to the Cherokee Nation in 1903 and has resided continuously therein since

that time. The said Marcus Maxwell is identified on the Cherokee Census Roll of 1896, as a native Cherokee.

It is, therefore, the opinion of this Commission that Marcus Maxwell should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this JAN 16 1905



MISSISSIPPI
JAMES L. JAMES
JAMES L. JAMES
JAMES L. JAMES
JAMES L. JAMES

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee Indian Territory

February 12, 1902

Mr. Marcus Maxwell,

Coffeyville, Kansas,

Sir:-

You are hereby notified that the application of

yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee Indian Territory, on the first day of March, 1902,

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

CherokeeD-539
Register.

Yours truly,

XXXXXXXXXXXX
Acting Chairman.
Commissioner in Charge

Cherokee D-539

Muskogee, Indian Territory, November 3, 1902.

Marcus Maxwell,
Coffeyville, Kansas.

Dear Sir:-

There is enclosed you herewith copy of a motion made by the attorney for the Cherokee Nation to reopen your application for enrollment as a citizen of the Cherokee Nation, together with an order of the Commission granting said motion and directing that further testimony be taken therein at the offices of the Commission at Muskogee, Indian Territory, on November 17, 1902.

Respectfully,

Acting Chairman.

Enc. M-81

Cherokee D-539

Muskogee, Indian Territory, November 4, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:-

There is enclosed you herewith copy of an order of the Commission granting your motion to reopen the application of Marcus Maxwell for enrollment as a citizen of the Cherokee Nation, and directing that further testimony be taken therein, at the offices of the Commission at Muskogee, Indian Territory, on November 17, 1902.

Respectfully,

Acting Chairman.

Enc. X-82

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1904 JAN 19 1904			

Cherokee Land Office,
Tahlequah, I. T.,
Jan. 19, 1904.

Transmits record in Cherokee
L. 130, Marcus Maxwell.

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Cherokee D 539.

Tahlequah, Indian Territory, January 19, 1904.

Commission to the Five Civilized Tribes,
(Cherokee Division),
Muskogee, Indian Territory.

Gentlemen:

The record in Cherokee D 539, Marcus Maxwell, has been examined and is believed to be ready for the preparation of a decision. The same is herewith transmitted as requested in your letter of January 16th.

Respectfully,

Chas. H. Hall
Acting Chief Clerk.

EGR.

Enc. A 7.

COPY.

Cherokee D-539

Muskogee, Indian Territory, September 23, 1904.

Marcus Maxwell,
Coffeyville, Kansas.

Dear Sir:

The Commission is in receipt, by reference from the Secretary of the Interior, of your letter of August 31, 1904, relative to your application for enrollment as a citizen by blood of the Cherokee Nation.

In reply you are advised that the Commission has not yet rendered a decision in your case. You are further advised that your rights as a citizen of the Cherokee Nation will probably be passed upon by the Commission in the near future and when a decision has been prepared you will be furnished with a copy.

Respectfully,

RECEIVED *Tams Dixby.*
Chairman.

COPY.

Cherokee D-539.

Muskogee, Indian Territory, January 18, 1905.

V. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 18, 1905, granting the application for the enrollment of Marcus Maxwell as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. S-63.

Tamc Dink
Chairman.

COPY.

Cherokee D-539.

Muskogee, Indian Territory, February 10, 1905.

Marcus Maxwell,

Coffeyville, Kansas.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

Respectfully,

Incl. S-54.

James Bixby
Chairman.

Cher 10858

James W. McCoy

Trans. from D968

Cher 10858

✓
C.F.VB.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

—
In the matter of the application for the enrollment of
James Willis McCoy, William . McCoy, Lela P. McCoy and Sina A.
McCoy, as citizens by blood of the Cherokee Nation.

--

Cherokee D-968.

U.S. DEPARTMENT OF AGRICULTURE
OFFICE OF THE COMMISSIONER OF GENERAL INVESTIGATION
FILED
DEC 15 1900

ACTING CHAIRMAN

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., December 14, 1900.

In the matter of the application of James Willis McCoy for the enrollment of himself, wife and children as Cherokee citizens; being sworn and examined by Commissioner Breckinridge he testified as follows:

- Q Give me your full name. A James Willis McCoy.
Q How old are you. A 34 years old.
Q What is your post-office. A Siloan Springs Arkansas.
Q In what district do you live? A Goingsnake.
Q Who is it you want to enroll, yourself and family. A Yes sir.
Q Have you a wife? A Yes sir.
Q How many children have you? A 3.
Q Are you a Cherokee by blood? A Yes sir.
Q Your wife is a white woman? A Yes sir.
Q How long have you lived in the Cherokee Nation. A About 7 years last summer.
Q Are you an admitted citizen by the Cherokee Council of Commissioners? A Yes sir.
Q Have you a certificate. A No sir, it is on the record; when I come to register before the payment I left the certificate with a lawyer and have never got it.
Q In what year were you admitted? A In 1887 I think it was.
Q And you came here seven years ago last summer? A I came here when ~~thaxx~~ they was taking the census for the Strip Payment.
Q How long before the Strip Payment was paid, in June?
Q Have you lived here ever since? A Yes sir, right in Goingsnake District.
Q Give me the name of your wife? A Martha Jane.
Q How old is your wife? A 34.
Q When did you marry her? A I married her about 16 years ago.
Q What was her name when you married her? A Thomas.
Q Was that her maiden name. A Yes sir.
Q She was never married before she married you. A No sir.
Q Were you ever married except to her? A No sir.
Q Has she lived with you ever since you and she were married?
A Yes sir.
Q Have you a copy of your marriage license and certificate?
A No sir.
Q Can you get that? A Yes sir, I was married in Georgia.
Q Give me the names of your children? A Here is their names and ages. (Hands Com'r list of names)
William M. McCoy, that is the oldest child? A Yes sir.
He is 13 years old.
Lela P., is 10 years old; Sina Alma, 8 years old; that is right is it? A Yes sir.
Q These children are all living now are they? A Yes sir.
1896 roll page 768 #1376 James McCoy Goingsnake
1896 roll page 825 #124 Martha McCoy Goingsnake
1896 roll page 768 #1378 Lela P. McCoy "
1896 roll page 768 #1379 Sina A. McCoy "
Q Now you were married in Georgia, in what year were you married in Georgia, 16 years ago. A Yes sir.
Q That would be in 1894? A Yes sir.
Q You were admitted in 1887? A Yes sir.
Q You were ~~admitted before~~ ~~you~~ married before you were admitted?
A Yes sir.
Q These children were all born after you were admitted? A No sir, one of them was born before, William M.
Q How were you re-married to your wife under the Cherokee law after you were admitted? A No sir.
Q Is she mentioned at the same time you were admitted. A Yes sir.

Com'r Breckinridge: The applicant applies for the enrollment of himself, his wife and three children; he is identified on the roll of 1896 as a native Cherokee; he states that he was admitted to citizenship in 1887 by the Cherokee Commission on citizenship, and that he has lived in the Cherokee Nation for now something more than 7 years; he has not at present a copy of his certificate of admission, and he will be listed for enrollment as a Cherokee by blood on a doubtful card, to await an official copy of the records of the Cherokee Commission admitting him; he states that he and his wife were married some 16 years ago, prior to his admission to citizenship in 1887; that she has lived with him ever since they were married; that neither was previously married; ~~that~~ and that they have never re-married since his admission to citizenship; he thinks she is named on the certificate of admission; she is identified with him on the roll of 1896; she is a white woman; she will now be listed for enrollment as a Cherokee by adoption on a doubtful card, to await official evidence of the applicant's admission and to consider the question of her status under the conditions stated; the three children named in the testimony are all duly identified on the roll of 1896 with their parents; they are living, and they will be listed now for enrollment as Cherokees by blood, on a doubtful card, to await an official copy of their father's admission, as stated; the applicant is desired also to supply the Commission with an official copy of his marriage license and certificate, which he states he can procure by writing back to Georgia.

W.D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

W.D. Green

Subscribed and sworn to before me, this December 15, 1900.

A. H. H. H.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 14 1900

CHEROKEES BY BLOOD AND ADOPTION.

Date

DEC 1-1900

1900.

Name

James W. McLoary

Bolsen Springs, Ark

District

Year 1896

Page 768

No. 1376

Citizen by blood 1/16

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

Martha J. McLoary

District

Year 1896

Page 878

No. 1377

Citizen by blood

Mother's citizenship

Intermarried citizen 1/16

Married under what law

Date of marriage

License

Certificate

Names of Children:

3 William M. McLoary Dist.

Year 1896 Page 768 No. 1377 Age 13

4 Lela F. " Dist.

Year 1896 Page 768 No. 1378 Age 10

5 Bina A. " Dist.

COUNING SNAKE

Year 1896 Page 768 No. 1377 Age 8

Dist.

Year Page No. Age

Dist.

Year Page No. Age

Dist.

Year Page No. Age

Dist.

Year Page No. Age

Dist.

Year Page No. Age

Dist.

Year Page No. Age

Dist.

Year Page No. Age

No 1 on 1896 roll as

" 2 " 1896 " "

" 3 " 1896 " "

James McLoary

Martha McLoary

William "

Evidence of admission of No. 1 & 2 to be supplied

Evidence of marriage of No. 1 & 2 to be supplied

2965

DEPARTMENT OF JUSTICE
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

APR 1 1902

P.

C. D-908.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 13, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of James W. McCoy for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 25, 1902, that his application for the enrollment of himself, wife and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 13th day of March, 1902, and that on said date he might appear before the Commission, either in person or by attorney, when an opportunity would be given him to introduce any additional testimony affecting his application. The applicant having this day, to-wit: the 13th day of March, 1902, been called, and failing to respond, it is deemed that his case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Office Commission on Citizenship.

Tahlequah Ind. Ter. Oct. 5th 1887.

Docket	No.	Names	age	Sex	Post Office	Attorney.
"	1,	James W. McCoy	21	male	Mineral Springs Ga.	
		William M. McCoy	1	"		

A. E. Ivey.

2052.

Applicant for
Cherokee Citizenship.

Census Rolls,

Vs.

Ancestor,

Cherokee Nation

Rosana McCoy.

Now on this the 1st day of June 1888 comes the above case up for final hearing and the Commission say: We the Commission on citizenship after examining the evidence and the rolls of 1852 find the above applicants to be Cherokees by blood and the above James W. McCoy and his son William McCoy are hereby readmitted to all the rights and privileges of Cherokee Citizens by blood.

J. T. Adair, Chairman Commission

John E. Gunter, Commissioner

D. W. Lipe Commissioner

Executive Office Cherokee Nation,

Tahlequah I. T.

I, B. W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of the Commission on Citizenship of the Cherokee Nation, filed in this office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 14th day of December 1900.

(SEAL)

B. W. Alberty,

Assistant Executive Sec. Chr. Nat.

I, the undersigned, a stenographer to the Commission to

the Five Civilized Tribes, do hereby certify on my official oath
that the foregoing is a true and correct copy of the certified copy
now on file in the office of the Commission.

Maud Colver
Stenographer.

Muskogee, I.T., June 6, 1902.

State of Georgia, Pickens County:

Gospel To any Judge Justice of the Peace Minister of the Gospel
you are hereby authorized to join James W. McCoy and Martha Jane
Thomas in the holy state of matrimony according to the constitution
and laws of this state and for so doing this shall be your license
and you are hereby required to return this lisen to me with your
certificat hereon of the fact and date of the marriage Given under
my hand and seal this 5" day of November 1884 (E.Hood. Ordinary

I certify that James W. McCoy and Martha J. Thomas were joined in
matrimony by me this 9th day of November 1884.

W. B. Chambers. W. P.

Georgia, Pickens County

I, C. J. Cornelison, Ordinary in and for said county, do certify the
above to be a true copy of marriage license and certificate of the
marriage of the parties therein named as the same appears of record
in the ordinary office of said county.

Given under my hand and seal of office this 3the day of January 1901

C. J. Cornelison

Ordinary.

(SEAL)

I, the undersigned, a stenographer to the Commission to
the Five Civilized Tribes, do hereby certify on my official oath
that the foregoing is a true and correct copy of the certified copy
now on file in the office pf the Commission.

Maud Collier
Stenographer.

Muskogee, I. T., June 6, 1902.

JOB

Cherokee D-986.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE LAND OFFICE.
Tahlequah, I. T., January 11, 1906.

In the matter of the application of James W. McCoy for the enrollment of himself, his children, William M., Lela F. and Sina A. McCoy as citizens by blood and his wife, Martha J. as a citizen by intermarriage of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

James W. McCoy, being sworn and examined by the Commission, testified as follows:

- Q What is your name? A James W. McCoy.
Q How old are you? A 38 years old.
Q What is your postoffice? A Ballard.
Q Are you a Cherokee by blood? A Yes sir.
Q Was your postoffice Siloam Springs, Arkansas, when you enrolled?
A Yes sir.
Q Was your wife named Martha J. McCoy? A Yes sir.
Q You have just executed an affidavit as to her death on August 1, 1901? A Yes sir.
Q Are you married now? A Yes sir.
Q Is your present wife a citizen? A No sir.
Q Have you children? William M., Lela F. and Sina A.? A Yes sir.
Q Are they living? A Yes sir.
Q You were admitted to citizenship in the Cherokee Nation, were you? A Yes sir.
Q Do you remember in what year? A No sir, I don't.
Q Were any of your children admitted with you? A Yes sir, the oldest, William M.
It is shown by a list of persons admitted and re-admitted to Cherokee citizenship by the National Council and Commissions on citizenship in the year 1880 and since that year that the names of James W. and William M. McCoy are entered in said list as having been admitted by Com. June 1, '88'.
Q Have you resided in the Cherokee Nation continuously since your admission in 1888? A I have been here since the year before the strip money was paid out. My citizenship was proved up and I came here.
Q Have you resided here continuously since that time? A Been here ever since; made it my home.
Q Were your children, Lela F. and Sina A. born since you were admitted? A Yes sir.
Q Are William M., Lela F. and Sina A. all your children by your

Cher. D-986.

wife, Martha J. McCoy? A Yes sir.

Q Prior to the time you mention as having come to the Cherokee Nation, were you ever in the Cherokee Nation? A No sir. I came when my rights were proved.

- - - -

I, May Hudson, state upon oath that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the supplemental testimony in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

May Hudson

Subscribed and sworn to before me this 11th day of January, 1905.

Samuel Foreman
Notary Public.



C-713

Cherokee 1902

In the latter of the application for the enrollment of James Willis Croy, William M. Croy, Lela F. Croy and Lina F. Croy, citizens of the Cherokee Nation.

-1-

The record in this case shows that on December 14, 1900, James Willis Croy appeared before the Commission at La Requah, Indian Territory, and made application for the enrollment of himself and his three minor children, William M., Lela F., and Lina F. Croy, as citizens by blood of the Cherokee Nation, and his wife, Martha Jane Croy, as a citizen by intermarriage, of said Nation; as the status of intermarried citizens is not at this time fixed, the rights of Martha Jane Croy to enrollment as a citizen of the Cherokee Nation, will not now be passed upon. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, March 13, 1902.

The evidence in this case shows that James W. Croy and his son, William M. Croy, were admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, on June 1, 1898; that they have continuously resided in the Cherokee Nation from 1893, up to and including the date of this application, and are duly identified upon the 1895 census roll of the Cherokee Nation.

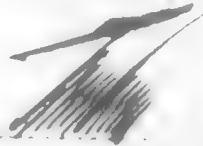
The evidence further shows that Lela F. Croy and Lina F. Croy are minor children of the said James W. Croy and have continuously resided in the Cherokee Nation since birth. They are duly identified on the 1895 census roll of the Cherokee Nation.

-2-

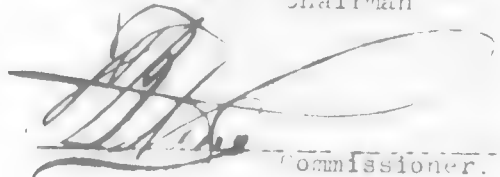
It is, therefore, the opinion of the Commission that
James Willis McCoy, William L. McCoy, John A.
McCoy, and the enrolled citizens of the Cherokee
Nation, in accordance with the provisions of section twenty-one
of the Act of Congress, approved June 1, 1900, (36 Stat., 49),
do hereby order.

WITNESSED

at Muskogee, Indian Territory,



Chairman



Commissioner.



Commissioner

Muskogee, Indian Territory,
this JAN 26 1905

C7B.

COPY.

Cherokee D 960

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Martha J. McCoy as a citizen by intermarriage of the Cherokee
Nation.

-:-

C. K. S. H.

THE RECORDS OF THIS OFFICE SHOW: That, at Tahlequah,
Indian Territory, on December 14, 1900, James Willis McCoy ap-
peared before the Commission to the Five Civilized Tribes and made
application for the enrollment, among others, of his wife, Martha
J. McCoy, as a citizen by intermarriage of the Cherokee Nation.

THE EVIDENCE IN THIS CASE SHOWS: That the said Martha
J. McCoy died on the first day of August, 1901.

Section twenty-five of the Act of Congress approved July
1, 1902 (32 Stat., 716), provides:

"The roll of citizens of the Cherokee Nation shall
be made as of September first, nineteen hundred and two,
and the names of all persons then living and entitled to
enrollment on that date, shall be placed on said roll by
the Commission to the Five Civilized Tribes."

IT IS THEREFORE ORDERED: That, under the provisions
of the law above noted, the application for the enrollment of
Martha J. McCoy as a citizen by intermarriage of the Cherokee Na-
tion, should be, and the same is, hereby dismissed, without prejudice.

(SIGNED)

James S. McCoy
COMMISSIONER

Dated at Muskogee, Indian Territory,

this SEP 29 1905

Cherokee D-968

Muskogee, Indian Territory, October 9th, 1902.

Martha J. McCoy,

Siloam Springs, Arkansas.

Dear Madam :

The Act of Congress, approved July 1, 1902, and entitled "An Act to provide for the allotment of the lands of the Cherokee Nation, for the disposition of town sites therein, and for other purposes," (Public No. 241), provides that "the roll of citizens of the Cherokee Nation shall be made as of September first, nineteen-hundred and two."

In accordance with said provision, you are hereby notified that the Commission to the Five Civilized Tribes will be at its offices at Muskogee, Indian Territory, until Friday, October 31, 1902, inclusive, for the purpose of affording you an opportunity to show that you have not, between the date of the original application for your enrollment and Sept 2, 1902, forfeited your right as a citizen by intermarriage of the Cherokee Nation.

This evidence should be introduced immediately, as it is necessary in determining your right to share in the allotment of the lands of the Cherokee Nation, and until the same is furnished no further action can be taken ~~toward your~~ toward your final enrollment as an intermarried citizen.

Yours truly,

Acting Chairman.

COPY.

Cherokee D-968.

Muskogee, Indian Territory, January 26, 1905.

W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 26, 1905, granting the application for the enrollment of James Willis McCoy and his minor children, William W., Lela F., and Sina A. McCoy, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Encl. L-24.

(SIGNED) *Tame Bixby.*
Chairman.

COMMISSIONERS:
TAMM BERRY,
THOMAS S. NEEDLES,
C. S. BRIDGEMAN,
WM. O. BRALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

246

NOTE IN REPLY TO THE FOLLOWING:
Cherokee D-558.

Muskogee, Indian Territory, February 14, 1905.

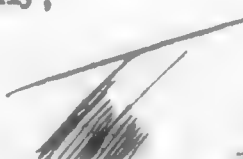
James W. McCoy,
Siloam Springs, Arkansas.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 26, 1905, granting the application for the enrollment of yourself, and your minor children, William M., Lela F., and Sina A. McCoy, as citizens by blood of the Cherokee Nation.

Respectfully,

Encl. L-27.



Chairman

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRIDGEMAN

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

167

COVER IN REPLY TO THE FOLLOWING:

Cherokee 10000.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 10, 1906.

James Willis McCoy,

Sileam Springs, Arkansas.

Dear Sir:

You are hereby advised that the names of yourself and your minor children, William W., Lela F. and Sina A. McCoy, appear upon a partial roll of citizens by blood of the Cherokee Nation, approved by the Secretary of the Interior on April 25, 1906.

You are further advised that you will now be permitted to appear before the Commission and select allotments for those whom you are entitled to represent.

Respectfully,


Chairman.

Cherokee D-208.

COPY.

Muskogee, Indian Territory, September 29, 1905.

James F. McCoy,

Siloam Springs, Arkansas.

Dear Sir:

There is herewith inclosed a copy of an order of the Commissioner to the Five Civilized Tribes, dated September 29, 1905, dismissing the application for the enrollment of your wife, Martha J. McCoy, as a citizen by intermarriage of the Cherokee Nation, she having died prior to September 1, 1902.

Respectfully,

RECEIVED.

Tame Dixby

Commissioner.

18

Inc. 1-208
Register

Cherokee B-963.

COPY.

Muskogee, Indian Territory, September 29, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of an order of the Commissioner to the Five Civilized Tribes, dated September 29, 1905, dismissing the application for the enrollment of Martha J. McCoy as a citizen by intermarriage of the Cherokee Nation, she having died prior to September 1, 1902.

Respectfully,

Jane Bixby.

Commissioner.

L8
Incl. 3-87





Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, \$300.

UNCLAIMED

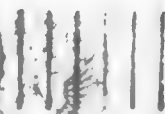




Department of the Interior

Office of the Inspector General

MUSKOCOE, IND. TER.



2-28-1902

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Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.



Cher 10859

Jesse C. Jackson

Trans. from R461

Cher 10859

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T.; December 5, 1900.

In the matter of the application of William J. Jackson for the enrollment of Jesse C. and Minnie L. Jackson as Cherokee citizens: he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

- Q Give me your full name. A William J. Jackson.
Q How old are you? A 37 years old.
Q What is your postoffice? A Catoosa, I.T.
Q What district do you live in? A Cooweescoowee.
Q Who is it you want to have enrolled; yourself, or have you a family? A Just two children.
Q You're a married man? A No sir, only two children.
Q Give me the names of these children? A Jesse C. Jackson.
Q How old is that child? A 15 years old.
Q Name of the next child? A Minnie L. Jackson.
Q How old is she? A 8.
Q Are these ~~both~~ children both living? A Yes sir.
Q Give me the name of their mother. A Minnie A Jackson.
Q Is she alive? A No sir.
Q Was she a Cherokee by blood? A Her folks all are.
Q Did she claim to be a Cherokee by blood? A Yes sir.
Q Was she ever recognized as a citizen of the Cherokee Nation? A No sir.
Q She's not on any roll? A No sir.
Q When did she die? A She died in 1893.
Q She never applied to the Dawes Commission, of course? A No sir.
Q These children are not on any roll? A They are on the roll of 1890. They were enrolled by their uncle, a guardian appointed by the authorities of Cooweescoowee district.
Q These are your children are they? A Yes sir.
Q Minnie Jackson was your wife? A Yes sir.
Q When did you marry her? A I married her in 1881.
Q Where did you marry her? A In Georgia.
Q When did she come to the Cherokee Nation? A In 1889.
Q She was not admitted by the Cherokee Commission? A No sir.
Q How old was she when she died? A She was thirty years old.
Q Have you a certificate of your marriage to her? A No sir.
Q You have no official evidence of your marriage? A No sir.
Q Was she ever married except to you? A No sir.
Q Were you ever married except to her? A Yes sir, I have been married since she died.
Q Give me the name of her father. A James M. Gravitt.
Q Is he dead? A No sir.
Q Give me the name of her mother. A Malissa.
Q Is she dead? A Yes sir.
Q Was Malissa Gravitt a Cherokee woman? A No sir, white woman.
Q Was James M. Gravitt a Cherokee by blood? A Yes sir.
Q Was James M. Gravitt ever admitted to citizenship by the Cherokee Commission? A Yes sir, in 1887 or 1888.
Q He's alive? A Yes sir.
Q Where is he living now? A In Catoosa.
Q Has he been enrolled? A Yes sir.
Q When did your wife's father come to the Cherokee Nation; in 1889 the time your wife did? A No sir; we didn't come to this country together.
Q When did James M. Gravitt come here? A James M. Gravitt came to this country, as well as I remember, in December, 1889.
Q Has he lived here ever since? A He has not been here all the time I don't think.
Q Your wife's been here all the time? A Yes sir, ever since that time up till the time she died.
A certificate on file in the case of James M. Gravitt, No. 5365, shows that James M. Gravitt was admitted to citizenship in 1888 by the Commission on Citizenship. The fact of his being admitted to citizenship is shown by the fact that he was admitted on August 8, 1888 by the

2- W'J.J.

Assistant Clerk of the Commission on Citizenship and by J. B. Hayes, the Principal Chief, that document is returned to its proper file.

Q Now, at the time your wife's father is shown to have been admitted to citizenship, your wife was 25 years old? A I am not sure.

Q Do you know whether her name was included at the time of her father's admission in the act of the Cherokee Commission on Citizenship? A No sir, I think not. I don't think they made the application --- He wrote me that ~~for~~ each family had to make its own application.

Q And she was considered of age and she wasn't treated as one of the family at that time? A No, she wasn't treated as one of the family in that sense.

1896 roll: page 189, #3591, Jesse J. Jackson, Cooweescoowee.

1896 roll: page 189, #3592, Minnie L. Jackson, Cooweescoowee.

Commissioner Brockinridge-

The applicant applies for the enrollment of two children; his only children by a deceased wife. He does not present a certificate of marriage, but states that he ~~can~~ can furnish a copy of his license and certificate, but assuming his marriage, as established, as having taken place in 1884. It then appears that his wife came to the Cherokee Nation in 1879 after her marriage, and then she was 25 years of age. Her father was admitted to citizenship in 1868, but the applicant's wife is stated not to be included in any certificate, and she was never recognized in any form as a Cherokee, and at the time of her father's admission, she was some 24 or 25 years of age; therefore, she could not enjoy the rights of a minor at that period. These two children are identified on the roll of 1896; they are living, but as they can only possess rights through their mother, and it is shown that their mother was never in any form recognized as a Cherokee citizen, it follows, therefore, that these children are not entitled to enrollment at this time, and therefore, the application for their enrollment is rejected.

F.C. Rothenberger, being sworn and ~~examined by~~ examined by Commissioner states that as stenographer to the Commission to the Five Civilized Tribes, he reports in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

Subscribed and sworn to before me this 5th day of December, 1900.

F.C. Rothenberger
Commissioner.

8

FILED
DEC 10 1900

CHEROKEES BY BLOOD AND ADOPTION.

DEC 1900

1900.

Date *October, 1901*

Name

District

Year

Page

No.

Citizen by blood

Mother's citizenship.

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship.

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Essie S. Jackson
Minnie S. "

Dist.

Deco

Year

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No.

Age

Dist.

Year

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Year

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No.

Age

Minnie a Jackson
Arm S.

Not on 1891 roll as Essie S. Jackson.
Evidence of marriage of parents to be supplied.

Grandfather James M. Gravitt admitted citizenship
in 1888. See Cherokee Encl 510 5265. Mother
admitted.

B. W. Albee

POOR ORIGINAL -
BEST AVAILABLE COPY

R. 461.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of William J. Jackson for the enrollment of Jesse C. and Minnie L. Jackson as citizens of the Cherokee Nation.

---ooo000ooo---

D E C I S I O N

---0---

It appears from the record in this case that William J. Jackson on the 5th day of December, 1900, appeared before the Commission to the Five Civilized Tribes and made application for his minor children, Jesse C. and Minnie L. Jackson, as citizens by blood of the Cherokee Nation.

The evidence shows that Jesse C. and Minnie L. Jackson are the children of Mintie Jackson and the applicant, William J. Jackson, a white man, to whom the said Mintie Jackson was married in 1884. It appears that the said Mintie Jackson came to the Cherokee Nation from Georgia in 1889. Her father, James M. Gravitt, was admitted to citizenship in the Cherokee Nation on the 24 day of August, 1889, but the name of his daughter Mintie, wife of this applicant, is not included in the certificate of admission. It appears that she was then 26 years old. It does not appear that the said Mintie Jackson was ever admitted to citizenship in the Cherokee Nation, and her name is not found upon any of the Cherokee tribal rolls in possession of this Commission.

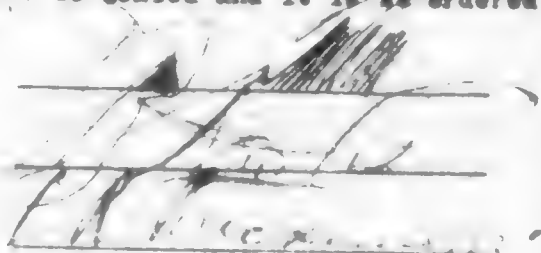
Under the facts in this case, the children above named could acquire no rights of citizenship not possessed by either of their parents. They are identified, however, on the Cherokee census roll

of 1896 and this fact gives the Commission jurisdiction over this case.

In making rolls of citizenship of the Cherokee Nation this Commission is governed by the following provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495):

"That in making rolls of citizenship of the several tribes, as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of eighteen hundred and eighty (not including freedmen) as the only roll intended to be confirmed by this and preceding Acts of Congress, and to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their-Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws."

Under the foregoing provisions of the law it is considered that the names of Jesse C. Jackson and Minnie L. Jackson are on the roll of 1896 without authority of law and in view of the law and evidence in this case, the application for the enrollment of the said Jesse C. Jackson and Minnie L. Jackson as citizens by blood of the Cherokee Nation will be denied and it is so ordered.



Commissioners.

Dated at Muskogee, Indian Territory,
this 11 day of May, 1902.

copy

Chero. R-481.

Muskogee, Indian Territory, May 20, 1902.

William J. Jackson,

Oatoosa, Indian Territory.

Dear Sir:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of your application for the enrollment of Jesse G. and Minnie L. Jackson as citizens of the Cherokee Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision.

The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Yours truly,

James Fixby.

Acting Chairman.

Enc. R-481.
Registered,

Chero. R-461.

Muskogee, Indian Territory, May 20, 1902.

W. W. Hastings, Esq.,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of the application of William J. Jackson for the enrollment of Jesse C. and Minnie L. Jackson as citizens of the Cherokee Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision.

The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Yours truly,

James D. Dixby.
Acting Chairman.

Enc. R-13.

COPY.

Muskogee, Indian Territory, May 20, 1902.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record and proceedings had in the matter of the application of William J. Jackson for the enrollment of Jesse C. Jackson and Minnie L. Jackson as citizens of the Cherokee Nation, including the decision of the Commission dated May 20, 1902, refusing the application for the enrollment of the said Jesse C. and Minnie L. Jackson as citizens of the Cherokee Nation.

Very respectfully,

James Dixey

Acting Chairman.

Enc. R-461.

Through the Commissioner
of Indian Affairs.

COMM. ON THE JUD. SYSTEM
U. S. HOUSE OF REPRESENTATIVES
1902

Refer in reply to
the following:
Land
31143--1902.

COPY.

Department of the Interior,
Office of Indian Affairs,
Washington, July 5, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made on May 20, 1902, by the Commission to the Five Civilized Tribes forwarding the record in the matter of the application of William J. Jackson for the enrollment of Jesse C. and Minnie L. Jackson as citizens of the Cherokee Nation.

The Record shows that Jesse C. and Minnie L. Jackson are the children of Mintie Jackson and William J. Jackson her husband who is a white man; that in 1889 she came with her father James N. Gravitt from Georgia, who had been admitted to citizenship on August 27, 1889, but the name of his said daughter Mintie, the mother of the children above mentioned, was not included in the certificate of admission. She was at that time 26 years of age and a married woman, and it does not appear that she has ever been admitted to citizenship in the Nation.

It is the opinion of the Commission that the children above named would acquire no rights of citizenship not possessed by their parents. Their names appear upon the 1896 census roll and the Commission believes that they were placed thereon without authority of law, and therefore declines to enroll them.

- 2 -

It is contended for the applicants that as the children in question are of Cherokee blood and as their names were placed by the local authorities of the Cherokee Nation upon the roll that they should not be stricken therefrom, but that the Cherokee authorities are the sole judges of the citizenship and the rights to citizenship of the said children.

The office believes that the decision of the Commission was correct, and it appears to be in accordance with the holding of the Department in the cases of Charles W. Horn and others decided by the Department June 27, 1902, (I. T. D. 3508) and Samuel Barger, et al., decided by the Department on the same date (I. T. D. 3578). It is therefore respectfully recommended that the Commission's decision be affirmed.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner.

W. C. V. (S)

D. C. No. 12523-1902.

L. R. S.

45121

RAF.

ITD. 4124-1902.

DEPARTMENT OF THE INTERIOR.

Washington, July 29, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

With letter of May 20, 1902, you transmitted record in the matter of the application of William J. Jackson for enrollment of his children, Jesse C. and Minnie L. Jackson, as citizens of the Cherokee Nation.

The evidence shows that said applicants are the children of Mintie and William J. Jackson who were married in Georgia in 1884 and went to said nation 1889; that her father, James M. Gravitt, was admitted to Cherokee citizenship in 1889, but Mintie Jackson was never so admitted, nor is her name upon any Cherokee roll; that the names of her said children are upon the 1896 roll. You held that the children could acquire no rights of citizenship not possessed by either of their parents, and that their names are on the roll of 1896 without authority of law. You denied the application.

The attorneys for applicants submit an argument for their enrollment. It is not alleged that either of the parents of applicants was ever admitted or enrolled as a citizen of the Cherokee Nation.

- 2 -

The Acting Commissioner of Indian Affairs in letter of July 5, 1902, refers to the holding of the Department in the cases of Charles W. Horn et al. and Samuel Barger et al., and recommends approval of your decision.

While the cases referred to are not analogous to the one under consideration, the Department affirms your decision for the reasons stated therein. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

KMD.

COPY.

Cherokee R 461.

Muskogee, Indian Territory, August 12, 1902.

William J. Jackson,
Catoosa, Indian Territory.

Sir:

You are hereby advised that the Commission's decision of May 20, 1902, rejecting your application for the enrollment of Jesse C. and Winnie L. Jackson, as citizens of the Cherokee Nation, was affirmed by the Secretary of the Interior on July 29, 1902.

Very respectfully,

Tamc Dixby.

Acting Chairman.

COPY.

Cherokee R 461.

Muskogee, Indian Territory, August 12, 1902.

W. W. Hastings, Esq.,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

You are hereby advised that the Commission's decision of May 20, 1902, rejecting the application for the enrollment of Jesse C. and Winnie L. Jackson, as citizens of the Cherokee Nation, was affirmed by the Secretary of the Interior on July 29, 1902.

Very respectfully,

Tamc Dixby.

Acting Chairman.

(COPY)

Refer in reply to
the following:
Land.
73572-1904.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, October 26, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to forward letter of William Henry White, of this city, dated 17th instant, submitting motion for review in connection with the application of William J. Jackson, for the enrollment of Jesse C. and Minnie L. Jackson, as Cherokee citizens. There is an affidavit attached to the motion, setting out that copy of the motion has been forwarded to W. W. Hastings, attorney for the Cherokee Nation, and registry receipt for the letter forwarding such motion is submitted.

Very respectfully,

(Signed) A. C. Tonner,

Acting Commissioner.

E.B.H.-L.C.-L.W.

D. C. 7753-1905.
I.T.D. 4124-1902.
10966-1904.

Y.P.

FHB.

LRS.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

February 9, 1905.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

On July 29, 1902, the Department affirmed your decision adverse to the applicants in the Cherokee enrollment case of Jesse C. and Minnie L. Jackson. On October 26, 1904, the Indian Office submitted a motion for review in this matter, duly served upon the attorney for the Cherokee Nation.

The applicants are the children of William J. Jackson, a white man, and Mintie Jackson, of Cherokee blood, who were married in Georgia in 1884, when Mintie Jackson was about 21 years of age.

The father of Mintie Jackson, James M. Gravitt, was readmitted to citizenship in the Cherokee Nation in 1888, and came from Georgia to the Nation in 1889. His name is on some roll of the nation. At the time of the admission of Gravitt, Mintie Jackson was 25 or 26 years of age, and she was not readmitted with her father.

Jesse C. Jackson was 15 years of age in 1900, when the testimony in this case was taken. He appears to have been born

in Georgia. Minnie L. Jackson was 8 years of age in 1900, and apparently was born in the Cherokee Nation. Their names are born on the 1896 census roll of the nation.

You concluded that these applicants "could acquire no rights of citizenship not possessed by either of their parents." Referring to section 21 of the act of June 28, 1898 (30 Stat., 495), you rejected the application for their enrollment, finding that their names are on the 1896 roll without authority of law.

The motion for review calls attention to several decisions of the Department made since its decision affirming your action in this case. It is not shown or alleged that the names of these applicants were placed upon the 1896 roll by fraud. In fact, it is stated that "they were enrolled by their uncle, and guardian appointed by the authorities of Cooweescoowee District."

There is no question of their Cherokee blood, and they are grandchildren of a duly admitted and enrolled citizen of the nation. They have been recognized by the tribal authorities by enrollment as citizens. See decision of the Department of June 10, 1903, in the case of Martha Hill and Lucius Marcus. The decision of the Department of July 29, 1902, should be and is hereby reversed, and you are authorized to enroll the applicants, in the absence of any further objection.

Respectfully,

(Signed) Thos Ryan.

Acting Secretary.

COPY.

Cherokee R-461.

Muskegee, Indian Territory, February 25, 1906.

William J. Jackson,

Catoosa, Indian Territory.

Dear Sir:

In the matter of your application for the enrollment of Jesse C. and Minnie L. Jackson as citizens of the Cherokee Nation, you are advised that the Commission is in receipt of Departmental letter of February 9, 1906, reversing the Department's decision of July 21, 1902, rejecting said application, and ordering the Commission to enroll said applicants as citizens of the Cherokee Nation.

Respectfully,

(ED).

Tame Dixie

COPY

Cherokee R-461.

Muskogee, Indian Territory, March 2, 1905.

William Henry White,

Columbian Building, 416 5th St., N. W.,

Washington, D. C.

Dear Sir:

In accordance with the request contained in your letter of February 20, 1905, the Commission has this day advised Jeff H. Gravit, Catoosa, Indian Territory, that on February 9, 1905, the Department reversed its and the Commission's decision rejecting the application for the enrollment of Jesse C. and Minnie L. Jackson as citizens by blood of the Cherokee Nation, and ordered said applicants enrolled as citizens of said nation.

Respectfully,

SIGNED

C. R. Breckinridge.

Commissioner in Charge.

COPY

Cherokee R-461.

Muskogee, Indian Territory, March 2, 1903.

Jeff M. Gravitt,

Guardian of Jesse C. Jackson et al.,

Catoosa, Indian Territory.

Dear Sir:

You are hereby advised that the Commission is in receipt of Departmental letter of February 9, 1903, reversing the decision of the Commission, dated May 20, 1902, and affirmed by the Secretary of the Interior on July 29, 1902, rejecting the application for the enrollment of Jesse C. and Minnie L. Jackson as citizens by blood of the Cherokee Nation, and ordering said applicants enrolled as citizens of said nation.

Respectfully,

W. M. C. R. Breckinridge.

Commissioner in Charge.

(COPY)

DEPARTMENT OF THE INTERIOR,
WASHINGTON,

W.C.F.
LLB

I.T.D.9612-1905.
L.R.S.

August 18, 1905.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

On February 9, 1905 (I.T.D.4124-1902, 10966-1904), the Department reversed its decision of July 19, 1902, affirming the decision of the Commission to the Five Civilized Tribes, rejecting the applicants in the Cherokee Enrollment case of Jesse C. and Minnie L. Jackson, and authorized said Commission to enroll the applicants, in the absence of any further objection.

On July 29, 1905, the Indian Office transmitted a protest from the attorney for the Cherokee Nation against the enrollment of said applicants, claiming that said applicants are not entitled to enrollment; that their father and mother were residents of the State of Georgia, and when these children were born neither had ever been admitted to citizenship in the Cherokee Nation.

The Department does not consider said protest sufficient to justify disturbing its decision of February 9, 1905. The applicants are clearly entitled to be enrolled, in accordance with the opinion expressed in departmental decisions in the following cases: Martha Hill (I.T.D.3386-1903,) James Shirley

(I.T.D.2794-1903) and Lizzie Jackson(I.T.D.7442,7463-1903).

You will so notify the attorney for the Nation.

Respectfully,

Thos. Ryan,

Acting Secretary

Cherokee R 461
(now 10859)

COPY.

Muskogee, Indian Territory, August 28, 1905

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is inclosed herewith a copy of Departmental letter of August 18, (I.T.D. 9612-1905), in which your protest against the enrollment as citizens by blood of the Cherokee Nation of Jesse C. and Minnie L. Jackson, is overruled.

Respectfully,

ENCLOSURE

Tame Dixey.
Commissioner

LMH
Incl. D-52

Cher 10860;
Lizzie Rodgers

Trans. from D.885

Cher 10860

REJECTED AS TO APPLICANT'S HUSBAND.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TALLEQUAH, I.T., DECEMBER 4th, 1900.

D.

IN THE MATTER OF THE APPLICATION OF LIZZIE RODGERS FOR THE ENROLLMENT OF HERSELF, HUSBAND AND CHILDREN AS CITIZENS OF THE CHEROKEE NATION, AND SET BEING SWORN AND EXAMINED BY COMMISSIONER, T. B. NEEDLES, TESTIFIED AS FOLLOWS:

- Q What is your name? A Lizzie Rodgers.
Q Any middle name? A No sir.
Q What is your age? A Thirty two.
Q What is your Postoffice address? A Tablequah.
Q What district do you live in? A Tablequah.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A By blood.
Q Whom do you apply for? A Myself, husband and three children.
Q Is your husband a white man? A Yes sir.

GEORGE RODGERS, APPLICANT'S HUSBAND, BEING SWORN AND EXAMINED BY COMMISSIONER T. B. NEEDLES, TESTIFIED AS FOLLOWS:

- Q What is your name? A George Rodgers.
Q What is your age? A Forty four past.
Q What is your Postoffice address? A Tablequah.
Q Are you a recognized citizen of the Cherokee Nation?
A I reckon I am: I have been here about seven years.
Q By blood or intermarriage? A By intermarriage.
Q What is the name of your wife? A Lizzie Rodgers.
Q What is her age? A She is thirty two.
Q Is she a citizen by blood? A Yes sir.
Q Have you any certificate of marriage? A Yes sir.

By Commissioner T. B. Needles: The applicant presents a certificate of marriage, certifying that he was married to one, Lizzie Setser, on the 15th day of February, 1885, according to the laws of the State of Tennessee.

- Q Were you ever married according to the laws of the Cherokee Nation? A No sir.

Applicant recalled:

- Q What are the names of your children? A Charlie F.
Q How old is he? A Nine years old.
Q Next child? A Lillie.
Q How old is she? A Six.
Q Has she any middle name? A Ann.
Q What is the name of the next one? A William D.
Q How old is he? A Three years old.
Q Next one? A That is all.
Q Is your name on the roll of 1890? A 1893 and 1896.

Interrogatory by Mr. W. W. Hastings, Cherokee Representative:
Q Were you admitted? A Yes sir.

By Commissioner T. B. Needles:
A Have you any certificate of admission? A Yes sir.

By Commissioner T. B. Needles: The applicant presents a certificate, certifying that Lizzie Rodgers and Charlie Rodgers, age two years, were added to the census roll of Tablequah District. Said certificate is signed by John T. Adair, Assistant Executive Secretary, attested under the seal of the Cherokee Nation.

Interrogatories by Mr. W. W. Hastings, Cherokee Representative:

- Q You swear that you were admitted before this by the Commission on citizenship? A Yes sir, by the Council. My case went through Council.

Q When? A In 1892.

By Commissioner:

(1896 Roll, Page 1233, #2763, Lizzie Rogers, Tahlequah D'st)
(1896 Roll, Page 1233, #2764, Charlie Rogers, Tahlequah D'st)
(1896 Roll, Page 1233, #2765, Lillie Rogers, Tahlequah D'st)

Q Have you any proof of birth of these younger children: Have you any affidavits made out? A No sir.

Q Are these children living with you at this time? A Yes sir.

George Rodgers recalled:

Q How long have you lived in the Cherokee Nation?
A Been here seven years.

By Commissioner T. B. Needles: The name of George Rodgers appears upon the census roll of 1896, and he files a certificate of marriage, certifying that he was married according to the laws of the State of Tennessee to one, Lizzie Setser, and her name appears upon the census roll of 1896: She avers that she was readmitted to Cherokee citizenship, but presents no satisfactory proof of same. She also avers that she has two children by said marriage, Charlie and Lillie Rodgers, whose names appear upon the census roll of 1896, and one child, William D. Rodgers, whose name does not appear upon the said roll, and no satisfactory proof of its birth is filed.

Satisfactory proof has been made of their residence: From the testimony, it is shown that the said George Rodgers was never married to his wife, Lizzie Setser, according to the laws of the Cherokee Nation: Consequently his enrollment will be refused, and he will be rejected. By reason of the fact that no certificate of admission of the said Lizzie Rodgers is presented, final judgment as to her enrollment will be suspended, and her name and the names of her three children will be placed upon a doubtful card, awaiting first proof of the admission to Cherokee citizenship of Lizzie Rodgers, and second satisfactory proof of the birth of the youngest child, William D. Rodgers.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 24th day of December, 1900.


COMMISSIONER.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., DECEMBER 4th, 1900.

IN THE MATTER OF THE APPLICATION OF Martha Setser for enrollment as a citizen of the Cherokee Nation, and she being sworn and examined by Commissioner T. B. Needles, testified as follows:

- Q What is your name? A Martha Setser.
Q How old are you? A Sixty five.
Q What is your Postoffice? A Tahlequah.
Q What district do you live in? A Tahlequah District.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q Whom do you want to enroll? A Just myself.

By Commissioner T. B. Needles: The applicant presents a certified copy of a certificate of citizenship, issued from the Commission on Citizenship, October 5th, 1887, admitting Martha Setser to Cherokee citizenship on the 8th day of December, 1886, said certificate being signed by J. T. Adair, Chairman of the Commission, H. G. Barnes, Commissioner; the correctness of the copy represented being certified to by J. T. Parks, Executive Secretary of the Cherokee Nation, under the seal of the Cherokee Nation.

- Q How long have you lived in the Cherokee Nation? A Seven years.
Q You were admitted in 1886; You did not move here until 1893?
A No sir.
Q Six years elapsed between the time of your admission and your removal to the Cherokee Nation? A Yes sir.
Q Have you lived here continuously ever since? A Yes sir.
Q Where were you living at that time? A In Tennessee.

(1896 Roll, Page 1247, #3170, Martha Setser, Tahlequah D'st)

- Q Were you living in the Cherokee Nation in 1896? A Yes sir, I have been living right here ever since I came.

The name of Martha Setser is found upon the census roll of 1896, and she presents satisfactory proof of admission to Cherokee citizenship, more particularly described in the testimony; Also makes satisfactory proof of residence; Consequently, she will be duly listed for enrollment as a Cherokee citizen by blood.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) R.R. Gravens.
Subscribed and sworn to before me this 5th day of December, 1900.

(Signed) C.R. Breckinridge,
Commissioner.

H. M. Vance, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the above and foregoing copy and that the same is a true and correct copy of the original transcript.

Subscribed and sworn to before me this 23rd day of January, 1904.

H. M. Vance
Edward J. Perkins
Notary Public.

"D" #885.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 19th, 1900.

IN THE MATTER OF THE APPLICATION OF Lissie Rogers, Case "D" #885 -
Supplemental Testimony.

Martha Setser, being sworn and examined by Commissioner, T. B. Needles, testified as follows:

- Q What is your name? A Martha Setser.
Q What is your age? A Sixty five.
Q What is your Postoffice address? A Tahlequah.
Q Do you know Lissie Rogers? A Yes sir.
Q How old is she? A She is thirty three I believe.
Q What do you know about her being readmitted to Cherokee citizenship? Where was she born? A She was born in North Carolina.
Q When did she come to the Cherokee nation? A She came in '93, I think.
Q How old was she when she came here? A She has been here going on seven years.
Q That would make her about twenty six years old when when she came?
A Yes sir.

By Mr. W. W. Hastings, Cherokee Representative:

- Q Was she married before she came here? A Yes sir.

Com'r. T. B. Needles:

- Q Do you know whether she was ever readmitted to Cherokee citizenship? A They said she was.
Q Who said she was? A She went through the Council.
Q Were you admitted? A Yes sir.
Q Was she admitted at the same time you were? A No sir.
Q You heard she went before the Council and was readmitted?
A Yes sir.
Q That is all you know about it? A Yes sir.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 25th day of January, 1901.

COMMISSIONER.

12/2/00

B

FILED
DEC 4 1900

RIBES.

[Handwritten signature]

W. CHARMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date 9 DEC -4 1900 1900.Name Tahlequah 93

District _____ Year _____ Page _____ No. _____

Citizen by blood _____ Mother's citizenship _____

Intermarried citizen _____

Married under what law _____

Date of marriage _____

License (23) Lizzie Rodgers Certificate ✓

Wife's name _____

District TAHLEQUAHYear 1896 Page 12 33 No. 270 3Citizen by blood yes Mother's citizenship _____Intermarried citizen no

Married under what law _____

Date of marriage _____

License _____ Certificate _____

Names of Children:

- 2 Charles F. Rodgers
- 3 Lillian
- 4 William D.

Dist. TAHYear 1896 Page 12 33 No. 2764 Age 9Dist. TAHLEQUAHYear 1896 Page 12 33 No. 2765 Age 6

Dist. _____

Year _____ Page _____ No. _____ Age 3

Dist. _____

Year _____ Page _____ No. _____ Age _____

Dist. _____

Year _____ Page _____ No. _____ Age _____

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Year _____ Page _____ No. _____ Age _____

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Year _____ Page _____ No. _____ Age _____

Dist. _____

Year _____ Page _____ No. _____ Age _____

Dist. _____

Year _____ Page _____ No. _____ Age _____

Dist. _____

Year _____ Page _____ No. _____ Age _____

1 in 1846 call us Lizzie Rogers2 " " " " Charles F.

4 Birth affidavit required

3 in 1846 call as Lillian Rogers

Proof of admission to be supplied

R.

C. D-685.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 12, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of
Lizzie Rodgers for the enrollment of herself and children as
citizens of the Cherokee Nation.

Appearances:

G. W. Benge, attorney for the applicant.

W. W. Hastings, attorney for the Cherokee Nation.

The applicant was notified by registered letter February 20,
1902, that her application for the enrollment of herself and children
as citizens of the Cherokee Nation would be taken up for final con-
sideration by the Commission at its offices in Muskogee, I. T., on the
12th day of March, 1902. Receipt has been acknowledged of the
Commission's letter, and the applicant this day, to-wit: the 12th day
of March, 1902, appears by her attorney, G. W. Benge.

The attorney for the applicant requests and will be granted
ten days in which to furnish documentary evidence to the Commission.

Also requests and will be granted ten days in which to file
brief in the case, one copy with the Commission, and one copy with
the representative of the Cherokee Nation.

The attorney for the applicant and representative of the
Cherokee Nation present submit the case, and the same is considered
completed and will be reported to the Commission for final decision
based upon the evidence now of record, in addition to the documentary
evidence to be supplied by the attorney for the applicant.

I, Wm. Hutchinson, do hereby certify that as stenographer to the
Commission to the Five Civilized Tribes, I correctly recorded the
proceedings in this case, and that the foregoing is a true and com-
plete transcript of the stenographic notes thereof.

Wm. Hutchinson

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
Muskegee, I. T. June 5th 1902.

In the matter of the application of Lizzie Rogers for the enrollment
of herself and children as citizens of the Cherokee Nation.
Cherokee D. 885.

Brief on part of the Cherokee Nation.

The testimony in this case shows that Lizzie Rogers is thirty-two
years of age; that she was born in the state of Tennessee where she grew
up to young womanhood and where she married her husband George Rogers on
the 15th day of February 1865 according to the laws of the State of Tennessee
and it does not show that she was ever readmitted to citizenship in
the Cherokee Nation.

We do not therefore see how the Commission can, under the law, enroll
her as a citizen of the Cherokee Nation she never having been read-
mitted as such by the National Council or any commission or court having
jurisdiction.

Respectfully submitted,

W. W. Hastings JCA
Attorney for the Cherokee Nation.

Certificate of J.L.Adair, adding names to the Census by Committee,
Executive Department,
Cherokee Nation.

Tahlequah, Ind.Ter., September 21st, 1894.

This certifies that the following names:

David C. Setzer,	Anna M. Caldwell,
Anna M. Setzer,	Isaac E. Caldwell,
Jane A. Setzer,	Elsie F. Caldwell,
Maud L. Setzer,	Lizzie Rogers,
Ella M. Setzer,	Starly Rogers,

were added to the census of Tahlequah District, in the Cherokee Nation, by the Committee of the National Council, on the census of said district, authorized by an Act of the National Council, approved April 15th, 1893, and under an Act in regard to the same, approved April 5th, 1894.

Attest.

Seal of the Cherokee Nation.

(SEAL)

John L. Adair,
Executive Secretary.

Department of the Interior,
Commission to the Five Civilized Tribes.

Muskogee, Ind.Ter., June 7, 1902.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application of Lizzie Rodgers et al. D 825.

R. Chick

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 25 1902

[Handwritten signature]

ATTORNEY GENERAL

EXECUTIVE DEPARTMENT

CHEROKEE NATION.

Tahlequah, Ind. Terr., September, 1891.

This certifies that the names,

Lizzie Rogers, aged 25 years.

Charly Rogers " 2 years.

were added to the census of Tahlequah District, in the Cherokee Nation, by the committee of the National Council for said District, on the census authorized by the Act of the National Council, approved April 1st, 1893, and under the Act in regard to the census of 1893-4.

Attest:

Seal of the Cherokee Nation. (signed) John A. Blair.
Executive Secretary. (SEAL)

Cherokee, D-885.

EXECUTIVE DEPARTMENT
CHEROKEE NATION.

Tahlequah, Ind. Ter., September, 21st, 1894.

This certifies that the names,

Lizzie Rogers, aged 25 years.

Charly Rogers " 2 years,

were added to the census of Tahlequah District, in the Cherokee Nation, by the committee of the National Council for said District, on the census authorized by the Act of the National Council, approved April 15th, 1893, and under the Act in regard to the census of 1893-4.

Attest:

Seal of the Cherokee Nation.


(SEAL)

(signed) John L. Adair.

Executive Secretary.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., Oct. 24, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of said Division.


Chief Clerk Cherokee Division.

(COPY)

A. W. Bengo,
Attorney at Law.

Criminal Practice A Specialty.

Tahlequah, I. T., Feby -----1903.

Before the Commission to the Five Civilized Tribes,
Department of the Interior,
Muscogee, I. T.

SUPPLEMENTARY STATEMENT.

Lizzie Rogers et al.

Cherokee "D. 885."

In answer to the request of the Commission in the communication of Feby 11th, 1903, requesting that the applicant furnish the original or certified copy of the act of the Cherokee National Council or judgement of Citizenship on Commission of readmission, ec.

In answer, on behalf of the applicant, will say that no such act of council or decree of Court exist, hence she is unable to supply the desired testimony.

But that applicants contention is, that under the general law of invitation to the North Carolina Cherokees she came into the Cherokee Nation, and that she was enumerated as such, recognized and treated as a citizen, as other Cherokees of like character, to the extent of participating in every privilege enjoyed by other bonifide citizens of the Nation, as will be seen by reference to the

rolls of Cherokees sence the year of 1892. That her right was recognized by her enrollment in 1893 for the per capita payment in -94 and again was so recognized by her enrollment as a citizen by blood in 1896. Each of said census was under scrutiny authorized by law, that the authorities of the nation received and accepted her as such citizen, is her contention.

respectfully submitted,

(signed) George Penge

Council for Lizzie Rogers .

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 16th, 1904.

I, the undersigned, being duly sworn state that as stenographer to the Commission to the Five Civilized Tribes, I copied the above and foregoing, and that the same is a true and correct copy of a supplementary statement on file in the case of Lizzie Rogers et al., Cherokee D-885.

Nannie E. DeWitt

Sworn to and subscribed before me this 16th day of January, 1904.

Edward Morris
Notary Public.

(COPY)

Executive Department

Cherokee Nation.

Tahlequah, Ind. Ter., September 21st, 1894.

This certifies that the following names:

David C. Setzer,	Anna E. Caldwell,
Anna M. Setzer,	Isaac E. Caldwell,
Jane A. Setzer,	Elsie F. Caldwell
Maud L. Setzer,	Lizzie Rogers,
Ella M. Setzer	Starly Rogers,

were added to the census of Tahlequah District, in the Cherokee Nation, by the Committee, of the National Council, on the census of said district, authorized by an Act of the National Council, approved April 15th, 1893, and under an Act in regard to the same, approved April 5th, 1894.

Attest.

Seal of the Cherokee Nation.

(signed) John L. Adair,

(Seal).

Executive Secretary.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 16th, 1904.

I, the undersigned, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes, I copied the above and foregoing, and that the same is a true and correct copy of the original.

Walter C. Whit

Sworn to and subscribed before me this 16th day of January, 1904.

Edward M. Smith



Cherokee Doubtful 835.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 23, 1904.

In the matter of the application for the enrollment of
Lizzie Rogers, et al., as citizens by blood of the Cherokee Nation.

O R D E R .

It is ordered by this Commission that the proceedings had
at Tahlequah, Indian Territory, on December 4, 1900, in the matter
of the application of Martha Setser, Cherokee 6098, for enrollment
as a citizen by blood of the Cherokee Nation be filed with and made
a part of the record in this case.



Commissioner.

Copy
C.D. 885

IN RE

Application for Enrollment of

INFANT CHILD

William O. Rogers
as a citizen of
Cherokee Nation

Approved, Dec. 14 1900

J. B. Needle

Commissioner.

Department of the Interior
Commissioner of the Five
Civilized Tribes.

Filed Dec. 14, 1900

James Birby
Acting Chairman

Cord 5-885.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of William S. Rodgers, born on the 5th day of June, 1897.
Name of Father: George Rodgers, a citizen of the United States Nation.
Name of Mother: Fizzie Rodgers, a citizen of the Cherokee Nation.
Post-office, Tahlequah, I.O.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

Northern District.

I, Fizzie Rodgers, on oath state that I am 32 1/2
years of age and a citizen by blood of the Cherokee Nation;
that I am the lawful wife of George Rodgers, who is a citizen, by
of the United States Nation, that a Male child was
born to me on the 5th day of June 1897; that said child has been
named William S. Rodgers, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Notary Seal

Subscribed and sworn to before me this 6th day of December 1900.

S. S. Bayles
Commission Expires Sep. 12, 1903.
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

District.

I, Israel Hill, a physician on oath state that I
attended on Mrs. Fizzie Rodgers, wife of George Rodgers,
on the 5 day of June, 1897 that there was born to her on
said date a Male child; that said child is now living and is said to have been
named William S. Rodgers.

WITNESSES TO MARK:

(Must be Two Witnesses)

Notary Seal

Subscribed and sworn to before me this 6th day of December 1904.

S. S. Bayles
Commission Expires Sep. 12, 1904.
NOTARY PUBLIC

Cherokee D 885. C.H.B.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Lizzie Rodgers, et al., for enrollment as citizens by blood of the Cherokee Nation.

-1-

DECISION.

The record herein shows that on December 4, 1900, Lizzie Rodgers appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of herself and her three minor children, Charlie F., Lillie Ann and William D. Rodgers, as citizens by blood, and for the enrollment of her husband, George Rodgers, as a citizen by intermarriage, of the Cherokee Nation. As the status of intermarried citizens is not at this time fixed, the said George Rodgers will not be embraced in this decision. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, December 19, 1900, and at Muskogee, Indian Territory, March 12, 1902. The proceedings had at Tahlequah, Indian Territory, on December 4, 1900, in the case of Martha Setser, Cherokee 6095, is filed herewith and made a part of the record in this case.

The evidence herein shows that Lizzie Rodgers, the principal applicant herein, is a Cherokee by blood; that she was born in the state of North Carolina, and on February 15, 1855, married, under the laws of the state of Tennessee, one George Rodgers, a citizen of the United States, and the above named children are the issue of that marriage. The said Lizzie Rodgers and her two children, Charlie F., as Charlie Rodgers, and Lillie Ann, as Lillie Rodgers, are identified as native Cherokees on the 1896 census roll of the Cherokee Nation. Lizzie Rodgers and her oldest child, Charlie F., are also identified on the Cherokee strip payment roll of 1894, having been added to said roll by the joint committee appointed under the act of the Cherokee National Council approved April 15, 1893. William D. Rodgers is too young to appear on any of the tribal rolls, but he is identified by a birth affidavit, made a part of the record herein.

The evidence further shows that Martha Setser, the mother of the principal applicant herein was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on December 5, 1885, the said Lizzie Rodgers being at that time a minor.


Section twenty-one of the act of Congress approved June 28, 1898, (30 Stat., 495), provides for the enrollment of

"all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation, whose parents by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities and who were minors when their parents were so admitted."

The evidence further shows that the principal applicant, Lizzie Rodgers, has resided in the Cherokee Nation continuously since 1893, and that the minor applicants, Charlie P., Lillie Ann and William D. Rodgers have resided therein since birth.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Sarah A. Setser, (I. T. D. 8689-1903), Lizzie Rodgers, Charlie P. Rodgers, Lillie Ann Rodgers and William D. Rodgers, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES


Chairman


Commissioner


Commissioner

Waskagee, Indian Territory,

this FEB 13 1905

41 D885
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 26 1902

COMMISSIONERS
HENRY L. DAWES
JAMES BIRBY
THOMAS B. NEEDLES
R. BRECKINRIDGE

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

ALFRED L. AYLERWORTH
SECRETARY

Muskogee, Indian Territory, February 20, 1902.

Mrs. Lizzie Rogers,

Tahlequah, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and three minor children

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 12 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-885
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

INDEXED

JAN 29 1903

Cherokee Land Office,
Vinita, I. T.,
January 28, 1903.

Record and decision in
case Little Rodgers is returned,
together with names of her par-
ents and other information.

Cherokee D 885

Vinita, Indian Territory, January 28, 1903.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

Referring to the list of Cherokee cases held for further testimony, transmitted with the Commission's recent letter, the following note appears thereon as to case D 885, Lizzie Rodgers: "Ascertain whether Lizzie Rodgers was ever admitted to citizenship by the Cherokee Council; also, who were her parents."

The certified list of persons admitted and re-admitted to Cherokee citizenship by the tribal authorities does not give the name of Lizzie Rodgers or Lizzie Setser as having been admitted or re-admitted to Cherokee citizenship. The record in this case and the card shows that the names of the parents of Lizzie Rodgers were Amanuel G. Setser and Martha Setser.

I request to be advised if further testimony is desired as to the names of the parents of this applicant.

The record and decision in this case forwarded to this office are returned herewith.

Respectfully,

Encl-S-2

GBB

H. J. Setser
Clerk in Charge.

MISS NICK
HENRY L. DAWES
TAMM BERRY
THOMAS B. HEROLD
C. R. BRECKINRIDGE

ALISON L. AYERSWORTH
BY MAIL

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cherokee D-885.

Muskegee, Indian Territory, February 11, 1903.

Lizzie Rodgers,

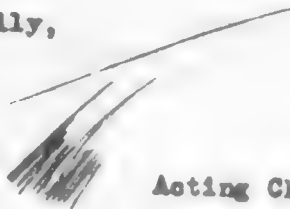
Tahlequah, Indian Territory.

Dear Madam:

You are hereby notified that before your application for enrollment as a citizen of the Cherokee Nation will be complete, it will be necessary for you to furnish the Commission with the original or certified copy of the Act of the Cherokee National Council or Judgment of Citizenship Commission, re-admitting you to Cherokee citizenship. Such certificate should be forwarded to the Commission at the earliest possible date.

In this connection you are advised that a certified copy of the Act of the Cherokee National Council adding your name to the 1896 census roll of Tahlequah District is not the Act required by the Commission. You stated when you applied for enrollment that you were regularly re-admitted to Cherokee citizenship in the year 1892.

Respectfully,



Acting Chairman.

RP

INDEXED.

1912 MAR 17

Charles Land Office,
Wichita, T. C.,
March 17, 1903.

Inclosing receipt and sup-
plemental statement in case
Linné Lodge, etc.

C. L. L.

COMMISSIONERS
HARRY L. DAWES,
TAMM DIXIE,
THOMAS S. NEEDLES,
C. R. BRIDGEMAN.

ALLISON L. AYLSWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D-885

ADDRESS BY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Vinita, Indian Territory, March 3, 1903.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

I respectfully forward herewith a supplemental statement received in reply to the Commission's letter of February 11, 1903, directing Lizzie Rodgers to file with the Commission a certified copy of the Act of the Cherokee National Council, which she claims was passed re-admitting her to citizenship in the Cherokee Nation.

Lizzie Rodgers is an applicant for enrollment as a citizen of the Cherokee Nation, and is listed on card Cherokee D-885. The original jacket and record in this case was recently forwarded to this office with the direction that a copy of such an act of re-admission be obtained.

The jacket and record is herewith returned to the Commission as it appears that all of the evidence called for by the memoranda attached to this record has been obtained.

Respectfully,

Encl-S-56

GRS

J. K. Taylor
Clerk in Charge.

COPY:

Cherokee D-285.

Muskogee, Indian Territory, February 13, 1908.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 13, 1908, granting the application for the enrollment of Lissie Rodgers, and her minor children, Charlie F., Lillie Ann, and William D. Rodgers, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Encl. L-22.

SIGNED: *Tame Bixby.*
Chairman.

Land
28410-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, May 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a communication from the Commission to the Five Civilized Tribes, dated March 31, 1905, transmitting the protest of the Cherokee Nation in the matter of the enrollment as citizens by blood of the Cherokee Nation of Lizzie Rodgers et al. The Cherokee Nation protests against the decision of the Commission on the ground that the evidence shows that the principal applicant was born in North Carolina; that she was married in Tennessee where a number of her children were born; that she came to the Cherokee Nation some time after 1890 and that she was never admitted to citizenship in said Nation. The Commission further report that on February 13, 1905, it rendered a decision granting the application for enrollment of Lizzie Rodgers et al.

The records of this Office fail to show that this case has ever been forwarded by the Commission.

It is recommended that the Commission be instructed to transmit the record in this case.

Very respectfully,

N.M.M. (W)

C. F. Larrabee
Acting Commissioner.

Cherokee D-885.

Muskogee, Indian Territory, March 7, 1905.

Lizzie Rodgers,

Tahlequah, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 13, 1905, granting the application for the enrollment of yourself and your minor children, Charlie F., Lillie E., and William D. Rodgers, as citizens by blood of the Cherokee Nation.

Respectfully,

Encl. L-22.

Commissioner in Charge.

Cherokee D-885.

Muskogee, Indian Territory, March 7, 1905.

G. W. Benge,

Attorney for Lizzie Rodgers et al.,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 13, 1905, granting the application for the enrollment of Lizzie, Charlie F., Lillie M., and William D. Rodgers, as citizens by blood of the Cherokee Nation.

Respectfully,

Encl. 1-25.

Commissioner in Charge.

Cherokee D-885.

Muskogee, Indian Territory, March 7, 1905.

G. W. Benge,

Attorney for Lizzie Rodgers et al.,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 13, 1905, granting the application for the enrollment of Lizzie, Charlie F., Lillie M., and William D. Rodgers, as citizens by blood of the Cherokee Nation.

Respectfully,

Encl. 1-23.

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

D. C. 25516-1905.

I.T.D. 5216-1905.

May 11, 1905.

IRS

Commission to the Five Civilized Tribes,
Muskegee, Indian Territory.

Gentlemen:

Referring to your report of March 31, 1905, transmitting a protest filed on behalf of the Cherokee Nation in the citizenship case of Lizzie Rodgers, et al., in which case you rendered a decision favorable to the applicants on February 13, 1905, you are requested to forward the record in said case to the Department in the usual manner, it appearing from the report of the Indian Office of May 6, 1905, a copy of which is inclosed, that said case has never been forwarded by you.

Respectfully,

1 inclosure.

(Signed) Thos. Ryan.
Acting Secretary.

COPIES

Cherokee-10860.

Muskogee, Indian Territory, March 31, 1905.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted, for consideration and appropriate action, protest filed with the Commission on March 21, 1905, on behalf of the Cherokee Nation in the matter of the application for the enrollment of Lizzie Rodgers, et al. as citizens by blood of the Cherokee Nation.

You are advised that on February 13, 1905, the Commission rendered its decision granting the application for the enrollment of the said Lizzie Rodgers, et al. as citizens by blood of the Cherokee Nation, and advised the attorney for the Cherokee Nation that he would be given fifteen days from that date within which to file such protest as he might desire to make against the action of the Commission in enrolling said applicants. On March 7, 1905, no protest having been filed, these applicants were listed for enrollment upon straight cards and notified of the Commission's action.

Respectfully,

Incl. 3-4.

SIGNED)

Tame Bixby.

Chairman.

Through the

Commissioner of Indian Affairs.

COPY.

Cherokee-10860.

Muskogee, Indian Territory, May 25, 1905.

Lizzie Rodgers,

Tahlequah, Indian Territory.

Dear Madam:

In accordance with the instructions contained in Departmental letter of May 11, 1905, the Commission's decision dated February 13, 1905, granting the application for the enrollment of yourself, et al. as citizens by blood of the Cherokee Nation, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

For your information there is herewith inclosed a copy of Departmental letter referred to.

Respectfully,

Incl. 8-64

Tame Bixby,
Chairman.

6
C-11

Cherokee-10860.

Muskogee, Indian Territory, May 25, 1905.

G. W. Benge,

Attorney for Lizzie Rodgers, et al.,

Tahlequah, Indian Territory.

Dear Sir:

In accordance with the instructions contained in Departmental letter of May 11, 1905, the Commission's decision dated February 13, 1905, granting the application for the enrollment of Lizzie Rodgers, et al. as citizens by blood of the Cherokee Nation, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

For your information there is herewith inclosed a copy of Departmental letter referred to.

Respectfully,

Tams Bixby.

Chairman.

Incl. 3-65.

OOPV

Cherokee-10550.

Waskoge, Indian Territory, May 26, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Replying to your letter of May 11, 1906 (I.T.D. 5216-1906), there is herewith transmitted the record of proceedings had in the matter of the application for the enrollment of Lissie Rodgers, et al. as citizens by blood of the Cherokee Nation, including the Commission's decision dated February 13, 1906, granting said application.

Respectfully,

(Signed)

T. Bixby
Chairman.

Incl. 3-63

Through the

Commissioner of Indian Affairs.

Refer in reply
to the following:
Land.
40875-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON. June 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 25, 1905, transmitting the record of the application for enrollment as citizens by blood of the Cherokee Nation by Lizzie Rodgers for herself and her three minor children, Charlie F., Lillie Ann and William D. Rodgers.

February 13, 1905, the Commission decided favorably to the applicants.

The record shows that the principal applicant is a Cherokee by blood; that she was born in North Carolina and on February 15, 1855, married under the laws of Tennessee, one George Rodgers, a citizen of the United States, and the minors above named are the issue of said marriage. Lizzie Rodgers, Charlie F., and Lillie Ann Rodgers are identified as native Cherokees on the 1896 census roll of that Nation. William D. Rodgers is too young to appear on any tribal roll.

The evidence further shows that Martha Setzer the mother of the principal applicant, was admitted to citizenship by

the proper authorities of the Cherokee Nation on December 8, 1886, the principal applicant herein, being at that time a minor. It is further shown that the principal applicant has resided in the Cherokee Nation continuously since 1895 and the minors have resided therein since birth.

In view of the record the approval of the Commission's decision favorable to the applicants is recommended.

Very respectfully,

C. F. Larrabee

Acting Commissioner.

M.M.M.
W.

J. P.
FHE.

DEPARTMENT OF THE INTERIOR,

D. C. 31051-1905.
I. T. D. 5216-1905.
6892- "

WASHINGTON. June 17, 1905.

L. R. S.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

May 25, 1905, you transmitted the record in the matter of the application for the enrollment of Lizzie Rodgers, and her three minor children, Charlie F., Lillie Ann and William D. Rodgers, as citizens by blood of the Cherokee Nation, including your decision of February 13, 1905, granting said application.

Reporting June 6, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Nation protests, through its attorney, against your decision, but as the Department has passed upon cases involving the same contention as that of the Nation in this case, it is not deemed necessary to enter into any discussion of such question. See departmental letters of November 12, 1903, in the case of Guss Caldwell et al, and January 8, 1904, in the case of Sarah A. Setser. Your decision is hereby affirmed.

Respectfully,

(Signed) E. A. Hitchcock

1 inclosure.

Secretary.

COPY.

Cherokee 10860.

Muskogee, Indian Territory, June 27, 1905.

Mizzie Rodgers,

Tahlequah, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision dated February 3, 1905, granting the application for the enrollment of yourself et al., as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 17, 1905.

You are further advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation, and approved by the Secretary of the Interior, of which you will be duly notified.

Respectfully,

SIGNED.

Tame Dixby.
Chairman.

COPY.

Cherokee 10860.

Muskogee, Indian Territory, June 27, 1905.

G. W. Benge,

Attorney for Lizzie Rodgers et al.,
Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated February 3, 1905, granting the application for the enrollment of Lizzie Rodgers et al., as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 17, 1905.

Respectfully,

(SIGNED).

Tamc Dixby.
Chairman.

COPY.

Cherokee 10860.

Muskogee, Indian Territory, June 27, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated February 3, 1905, granting the application for the enrollment of Lizzie Rodgers et al., as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 17, 1905.

Respectfully,

(SIGNED).

Jams Dixby.
Chairman.

111111
111111

[Handwritten signature]

Marion R. J. 3/12/02

Received from the Commission to the Five Civilized Tribes a copy of the testimony in the
matter of the application of

Lezzer Rodgers et al

for enrollment as

of the Cherokee Nation.

J. H. Benge

Cherokee N. No. 885

Cher 10861

Jesse J. DuVaul

Cher 10861

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for Enrollment, as a citizen of the *Cherokee* Nation,
of *Jesse Duvall*, born on the *27th* day of *Feb*, *1897*.
(Here insert name of child)
Name of Father: *Joseph Duvall*, a citizen of the *Citizen of the* Nation.
Name of Mother: *Nancy Laughlin now Layman*, a citizen of the *non citizen* Nation.
Post-office, *Sallisaw Indian Ter*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY

Neithen District.

I, *Nancy Laughlin now Layman* on oath state that I am *18* years of age and a citizen, by *United States*, of the _____ Nation;
that I am the lawful wife of *that Joseph Duvall is father of child* who is a citizen, by *Blood*, of the *Cherokee* Nation; that a *male* child was (male or female)
born to me on the *27th* day of *February*, *1897*; that said child has been named *Jesse Duvall*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses.) { *J. L. Reich*
W. E. Buckleberry

Nancy Laughlin now Layman

Subscribed and sworn to before me this *7th* day of *August*, *1900*.

W. E. Buckleberry Jr
NOTARY PUBLIC
Comm. Expires Feb 21, 1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY

District.

I, *Maggie O Laughlin*, a *mid wife*, on oath state that I attended on Mrs. *Nancy O Laughlin*, wife of *who had a child by Joseph Duvall* who *was always as carried the child as her* on the *27* day of *February*, *1897*; that there was born to her on said date a *male* child; that said child is now living and is said to have been named *Jesse Duvall*.

WITNESSES TO MARK

(Must be Two Witnesses.) { *J. L. Reich*
W. E. Buckleberry

Maggie O Laughlin

Subscribed and sworn to before me this *7th* day of *August*, *1900*.

W. E. Buckleberry Jr
NOTARY PUBLIC
Comm. Expires Feb 21, 1901

Madison Indian Territory, Jan 11 190 2

RECEIVED of the COMMISSION TO THE FIVE CIVILIZED TRIBES

one copy of the testimony in Matter of Application of Joseph

Dupont - as - a Petitioner of Cherokee Nation by Blood

Wm. S. Smith
Attorney for Applicant.

United States of America-Northern District.
Indian Territory.

Nancy Cothron, being by me first duly sworn, according to law, upon her oath states, and says:-

My name is Nancy Cothron, and my age is 21 years; my post office address is Sallisaw, I. T. I am a non-citizen of the Cherokee Nation, and a citizen of the United States. I have lived in the neighborhood and community of Sallisaw, for the past 18 years. During my childhood I became acquainted with one Joe or Joseph D'Vaul, who was a recognized and enrolled citizen of the Cherokee Nation, and residing therein;

this same Joe or Joseph D'Vaul, afterwards married my sister Frances D'Laughlin. When I was 14 years of age I got in a family way by the said Joseph D'Vaul, and afterwards and upon the 27th, day of Feb. 1897, I gave birth to a male child whose name is Jessie J. D'Vaul, which said child is now living with me near Sallisaw, I. T. which place the said child has lived continuously since its birth.

On or about the 7th, day of August, A. D. 1900 when the Commission to the Five Civilized Tribes, was at Sallisaw, for the purpose of enrolling citizens of the Tribe, in company with my mother Maggie O'Laughlin, ~~XXXXXXXXXXXX~~ my sister Frances Tyler, her husband J. S. Tyler, and one Mrs. Barnes, and one Mrs. Sanders, and others I appeared before the Commission during its hours of business and asked and applied for admission of the said Jessie J. D'Vaul, whereupon the Commission informed me that the child could not be enrolled, under the rulings and regulations governing the enrollment of citizens, whereupon the said Nancy Cothron, went to one J. H. Ruckelberry, an attorney at Law, then and now living in Sallisaw, I. T. and prepared an application in writing asking that said child be enrolled, which said petition she in the presence of the persons above named presented and offered to the Commission, asking the enrollment of the said Jessie J. D'Vaul, and said petition is filed hereto and marked "B"; that upon looking over the same the Commission handed it back to the said Nancy Cothron, telling her that they could not enroll the child for the reasons first given her earlier in the day.

Affiant says that Joseph D'Vaul, is now dead, having died 17th, day of Jan. 1898, but that during his life time always admitted being the father of Jessie J. and took great interest in him, and always said that he would provide him with an allotment of land.

Witness:

J. H. Ruckelberry,
Notary Public.

Nancy Cothron
Affiant

Subscribed and sworn to before me this Sept. 2nd, 1904.

J. H. Ruckelberry,

My commission expires June 5, 1905.

Notary Public.

United States of America-Northern District.
Indian Territory.

Nancy Jane Howell, being by me first duly sworn, according to law, upon her oath, states, and says:

My name is Nancy Jane Howell, and my age is 57, and my post office address is Sallisaw, I. T. I was present and assisted when Henry Gethman, gave birth to a boy child upon the 27th, day of Feb. A.D. 1897, and know that said child is still living and is named and called Jessie J. D'Vaul. I knew Joseph D'Vaul, during his life time, and have heard him say a great many times that he was the father of Jessie J.

This child looks exactly like Joseph D'Vaul, being dark like he was. I assisted as mid-wife when the child was born. ~~XXXXXXXXXX~~

Witness:

T. F. Shaver
Notary Public

Nancy Jane Howell
her Name

Subscribed and sworn to before me this Sept. 2nd, 1904.

My commission expires June 5, 1905.

T. F. Shaver
Notary Public.

United States of America-Northern District.
Indian Territory.

Frances Tyler, being by me first duly sworn, according to law, upon her
oath, states, and says:-

My name is Frances Tyler, and my age is 26 years, and my post office address is Sallisaw, I. T. I am a sister of Nancy Cothron, and was the wife of Joseph D'Vaul, during his life time. I was present when Nancy Cothron, gave birth to a child being upon the 27th, day of Feb. A.D. 1897, and know that the child is now living, and that his name is Jessie J. D'Vaul. My husband Joseph D'Vaul, who died on the 17th, day of Jan. 1898, admitted that he was the father of this child, and always took great interest in it before his death, and said that he was going to have it enrolled and provide it with an allotment of land. The child looks very much like Mr. D'Vaul, being dark, with all the feature and looks of a Cherokee Indian. I was in company with my sister Nancy Cothron, when she appeared before the Commission to the Five Civilized Tribes, and asked that the child be enrolled which was done at Sallisaw, I. T. on or about the 7th, day of August, A. D. 1900, and I know that she appeared there with the child, and afterwards went away and had J. H. Huckelberry, an attorney at Law, then and now living at Sallisaw, I. T. to prepare an application which she went back and presented to the Commission. There were several present when my sister applied for the enrollment of the child Jessie J.

Witness:

J. H. Huckelberry
J. H. Huckelberry

Frances Tyler

Subscribed and sworn to before me this the 2nd, day of Sept. A.D. 1904.

My commission expires June 5, 1905.

J. H. Huckelberry

Notary Public.

In the matter of Jesse J. D'V
D'Vaul, by his mother Nancy
Gothron, an applicant for enrol
ment as a citizen of the Chero
kee Nation by blood.

Thos. J. Watts,
Att. for applicant.

United States of America-Northern District.

Indian Territory.

Maggie O'Laughlin, being by me first duly sworn according to law, states and says:-

My name is Maggie O'Laughlin, and my age is 45 years, and my post office address is Sallisaw, I. T. Nancy Cothron, is my daughter, and on or about the 7th, day of August, A. D. 1900, I was present when my daughter appeared before the Commission to the Five Civilized Tribes, at Sallisaw, I. T. and asked for the enrollment of her child Jessie J. D'Vaul; there were several persons present, being my daughter Frances Tyler, her husband J. S. Tyler, one Mrs. Barnes, one Mrs. Sanders, and others.

We first appeared and asked for the enrollment of the child without preparing affidavit, and we afterwards went to J. H. Ruckelberry, an attorney at Law, then and now living at Sallisaw, I. T. and he prepared an application for the enrollment of the child which upon that day went back and presented to the Commission, but they refused to enroll the child upon the ground that under their rules and regulations that class of applicants could not be enrolled, and the affidavit and application was returned to my daughter. I know that Joseph D'Vaul, is the father of Jessie J. for my daughter was very young at that time, and never kept company with men; Joseph D'Vaul, also openly and publicly admitted at all times that he was the father of the child, and took a great deal of interest in him.

Witness:-

J. H. Ruckelberry,
Notary Public.

Maggie O'Laughlin

Subscribed and sworn to before me this the 2nd, day of Sept. A.D. 1904.

My commission expires June 5, 1905.

J. H. Ruckelberry,
Notary Public.

FILED
JAN 14 1905
COMMISSION TO FIVE TRIBES

W. H. H. H. H. H.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T., OCTOBER 19, 1904.

MEMORANDUM in the matter of the application for the enrollment of Jesse J. DuVaul as a citizen by blood of the Cherokee Nation.

APPEARANCES:

Applicant appears in person and by attorney, Thomas J. Watts.
Cherokee Nation made no appearance.

NANCY COCHROM, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A My name is Nancy Cochrom now.
- Q How old are you? A I will be 24 my next birth day, the 29th of December.
- Q What is your post office address? A Sallisaw, Indian Territory.
- Q Have you a child by the name of Jesse J. DuVaul? A Yes sir.
- Q That is your own natural child is it? A Yes sir.
- Q About how old is this child now? A About 8, will be 8 in February.
- Q Do you know the exact date of the birth of this child? A Yes sir.
- Q What date was that? A 27th day of February.
- Q Who is the father of this child? A Joseph DuVaul.
- Q Where was you living when this child was born? A Right there on his place.
- Q Near Sallisaw? A Yes sir.
- Q What was the citizenship of Joseph DuVaul? A He was an Indian.
- Q You mean by that a Cherokee by blood? A Yes sir, a Cherokee.
- Q Do you know whether or not he was recognized by the Cherokee Tribal authorities? A Yes sir, he was, he has got connection with the Cherokees.
- Q Did you ever appear before the Commission to the Five Civilized Tribes prior to this time? A Yes sir.
- Q When was that? A It was in 19-----
- Q How long ago? A Seems like it has been two or three years ago.
- Q What is your best impression about the year? A Seems like it was 1900, I can't tell you.
- Q You are certain it has been two or three years ago are you?
- A Yes sir.
- Q Where was the Commission at that time? A At Sallisaw.
- Q They were holding a meeting there, receiving applications for citizenship in the Cherokee Nation? A Yes sir.
- Q You were a single woman at that time, were you? A Yes sir.
- Q And had this one child Jesse? A Yes sir.
- Q How old do you think he was at that time? A He was about five years old.
- Q Do you know or remember who the Commissioner in Charge was of that party? A No sir, I don't.

- Q Just tell me what you did when you went up there? A We went and got a paper from Judge Huckleberry, and he took the paper up there and read it over and said he couldn't do up any good, said he couldn't put the child on the roll at all.
- Q You mean the person in charge of the Commission over there? A Yes sir.
- Q You speak of getting a paper, what kind of a paper did you get? A We got a paper.
- Q Do you know what was in the paper? A Yes sir.
- Q Tell me? A It was about the child, the age and about its birth.

BY MR. WATTS:

Counsel for the applicant suggests the death of Judge J. H. Huckleberry, the party who prepared the birth affidavit and application attached to this application, and marked Exhibit "A."

BY THE COMMISSION:

- Q After you got the paper from Mr. Huckleberry, you say you went up to where the Commissioner was and presented the paper to him?
- A Yes sir.
- Q And he told you he couldn't do anything for you? A Yes sir.
- Q What did he say as to his reasons for not receiving the application? A He said he couldn't do it, that it wasn't for him to put them kind of children on the roll, he was only attending to putting on legitimate children.
- Q I will ask you to look at this paper marked Exhibit "A" and tell me whether or not that is the paper you got from Mr. Huckleberry?
- A Yes sir.
- Q Where has that been from the time it was made out in 1900 up until the time you gave it to Mr. Watts? A Right at home, I have had it all the time.
- Q How did it come you didn't see more about this child prior to this time? A Some said it was no use and some said put him on, and some said we could, and that is just the reason why.

BY MR. WATTS:

- Q What kind of a looking man was Joe DeVaul, the father of the applicant? A He was awful dark, Cherokee, and black eyes, and black head, low kind of heavy set man.
- Q Is this the applicant, this little boy (indicating)? A Yes sir.

OPINION OF CLERK HEARING THIS CASE:

The child, Jesse J. DeVaul, for whom the claim is made that application was made for his enrollment in 1900 is present and his physical appearance indicates him to be and Indian by blood, he having black straight hair and eyes, and dark complexion.

BY MR. WATTS:

- Q Does this little boy look like his father? A Yes sir he favors him awful.
- Q How far did you live from Salinasaw when you became pregnant by Joseph DeVaul? A We lived between 6 and 7 miles.
- Q What direction? A East, was out close to Sam Ussery's, right there on his place.
- Q You say that is east? A Yes sir, I think it is, I don't know.

- Q You are sure with a good direction? A No sir, I would not be sure at all about it.
- Q Are you positive that Joe DeVaul is the father of this child?
- A Yes sir I am positive of that.
- Q Do you remember how old you were when you became acquainted with Mr. DeVaul? A Yes sir I was about 14 years old.
- Q What relation, if any, is Mr. DeVaul to you, at that time? A He was my brother-in-law.
- Q Did he marry your sister? A Yes sir.
- Q How far did you live from his house? A About a mile and a half or two miles.
- Q Did you ever have any talk with him about his being the father of this child? A He said that if he lived he would have land and put him on the roll, but he never lived.
- Q What did he say about being the father of this child? A He never said anything to me about it, he told others.
- Q I will ask you if he ever said it publicly, that he was the father of this child? A Yes sir.
- Q Was this declaration made in preparation of this application, this sworn affidavit which is attached to your application, was he a practicing attorney? A Yes sir.
- Q Did he tell you to take that application and present it to the Commission? A Yes sir.
- Q Did you do it? A Yes sir.
- Q Did he take it? A Yes sir, he took it and read it.
- Q What did he say then to you? A That it was to be done and he would take care of it.
- Q Has this child lived in the Cherokee Nation continuously since it was born? A Yes sir all the time, never has been anywhere else.
- Q Who did you ask him to apply to the Commission for the enrollment of this child? A My sister and mother.
- Q Were there any correspondence? A No sir, nothing else, there was some letters to go.
- Q Where was the Commission located at that time with reference to the territory of Sallisaw? A It was at Sallisaw, there on the fair hill between Sallisaw and Charlie Frye's.
- Q What time of the day did you appear before the Commission? A It was in the evening, I think it was.
- Q Did you go before them more than one time as far for this child to be enrolled? A No sir, just one time.

BY THE COMMISSION:

- Q How long has Joe DeVaul been dead? A I know him ever since he was just a young man.
- Q All your life? A Nearly.
- Q What age would he be if he was living? A I don't know just exactly for he didn't hardly know.
- Q About how old? A I would think he would be about 28 if he was living.
- Q Do you think he would be about 28 if he was living now? A Yes sir.
- Q Did he always live near Sallisaw? A Yes sir.
- Q All the time that you knew him? A Yes sir.
- Q Did he ever live outside of the Cherokee Nation that you know of? A No sir he never did.
- Q At the time this child was born, who was you living with?
- A With my mother.

- Q Was he married to your sister at any time? A Yes sir.
Q And was it about a year or so after you? A Yes sir.
Q Did you ever live with him? A No sir.
Q You would not have lived with him? A Yes sir.
Q You say you never at any time lived with him? A I would not have lived with him.
Q He never held you out as his wife? A No sir.
Q After you became pregnant with this child, Jesse, did you ever talk with him? A No sir, he just never let on like he knew it.
Q You never had a talk with him concerning the parentage of the child? A No sir.
Q You say the child is living with you near Sallisaw and always has? A Yes sir.

BY MR. WATTS:

- Q I will ask you if you are now in the Illinois District joins Sequoyia District? A Just across between it.
Q Which district do you live in now? A Illinois District.
Q Just across the creek from Sequoyia? A Yes sir.
Q I will ask you if DuVaul is a late placer in both Districts?
A No sir, not one.
Q Which one? A Illinois District.

MAGGIE O'LAUGHIN, defendant and answer, testified as follows:

BY THE COMMISSION:

- Q What is your name? A Maggie O'Laughin.
Q What is your age 43 years.
Q What is your post office address? A Sallisaw.
Q Have you a daughter by the name of Mary Cochran? A Yes sir.
Q What was her name prior to her marriage to Cochran? A Laron.
Q Has Mary Cochran, your daughter, any children? A Has two children.
Q What is her oldest child's name? A Jesse J. DuVaul.
Q Where is that child living? A It is with me, I have raised it myself, that is his home there (indicating).
Q Does your daughter, Mary Cochran, live with you? A Yes sir.
Q Where was this child Jesse born? A In Illinois District about eight miles southwest of Sallisaw, he lives in the very house he was born in.
Q When was he born? A In 1897 I tell you, yes sir, the 27th day of February.
Q Was your daughter living with you when Jesse was born? A Yes sir.
Q What do you know with reference to who was the father of Jesse DuVaul? A I know he acknowledged him as his child his own self.
Q Who do you mean by that? A Joseph DuVaul.
Q Did Joseph DuVaul admit to you that this child Jesse was his son?
A Yes sir.
Q When did he do that? A The child was six months old before I spoke to him, a girl was raising the child and I know she never had kept company with him until she was pregnant with this child.

- Q How old was your daughter when she got in the family, ma? A She was 15 the 29th day of December and that child was born in February following.
- Q You say you had a talk with the father, Joseph, and he admitted the child? A Yes sir I talked with him before he died, he told me that he wanted to talk with me before he died.
- Q What relation did Joseph DuVaul bear to you at that time? A He was my son-in-law.
- Q Do you know whether or not your daughter ever appeared before the Commission to the First Civilized Tribes prior to today? A I do.
- Q When did she appear before the? A Four years ago in 1900, along about the 27 day of August, as well as I recollect.
- Q Where was the Commission at that time? A At Sallisaw out there on the hill at high hill.
- Q Do you know who was the Commissioner in Charge of the work there at that time? A I believe Mr. Needles, I would not be positive but I think that is the man.
- Q Just tell me what was done with reference to an application for this child? A We just took the child there and stated the case as clear as we could, what kind of a child he was, I did the principal talking, well, the girl was crippled, she was present, and he said under the present conditions of the law and all that he could do for the child, he said without we had plainer proof, we would send Judge Huckleberry's office and made out an affidavit and had witnesses, the best we could and we took it back to him and he said it was a good that he could do do anything now, he asked me if I would put on a detailed list, and I told him it would be a good plan, on, all right and if so I didn't know what to do. He said had I am sorry for you, I can't do anything for you.

BY MR. WATTS:

- Q Were you with your daughter when she went to Judge Huckleberry's office and had him to prepare that birth affidavit and application?
- A Yes sir.
- Q Did you see him prepare it? A Yes sir I watched him just the same as I am watching you.
- Q I want you to look at the birth application and see if you can identify it as the one Judge Huckleberry prepared? A I think so, that is where I signed my name, I can't write very good, this is the one (indicating).
- Q Is that the instrument you presented to the Commission and ask that this child be enrolled? A Yes sir, it is.
- Q I will ask you if this child, Jesse J. resembles Joe DuVaul?
- A As much as any that I ever seen favor their father.
- Q Where is Joe DuVaul at this time? A He is dead.
- Q How long has he been dead? A He has been dead six years, it will be six years the 1st of January, I believe.
- Q Where was this child born? A He was born in Illinois District eight miles I think it is from Sallisaw, he is living right now in the house he was born in.
- Q Has he lived in that house since his birth? A Yes sir, never was any further from Sallisaw than from there.
- Q I will ask you if his father, Joe DuVaul, didn't admit publicly that he was the father of this child? A Not at first he didn't, he was afraid of the law what afterwards when he saw the child and found out the law was going to bother him he acknowledged it.

Q Did he ever say anything to you about going with a allotment for him? A Yes sir.
Q What did he say? A He said he wanted to have him enrolled, he said he would be able to get that way to enroll him, and said that was his intention of aimed to pick out a place for him.

FRANCES TYLER, 1st First duly sworn, testified as follows:

BY THE COMMISSION:

Q What is your name? A Frances Tyler.
Q Where do you live? A In Illinois District close to Sallisaw, about six miles from Sallisaw.
Q What is your post office address? A Sallisaw.
Q About how old are you? A 26 years old.
Q Are you acquainted with Nancy Bothron? A Yes sir.
Q How long have you known her? A All my life, she is my sister.
Q Younger than you? A Yes sir.
Q Has she some children? A Yes sir, she has not two.
Q What is her oldest child's name? A Jesse Lerma DeVaul.
Q He is called Jesse? A He will be 8 years old the 27th of February, if I mistake not.
Q Where is he living? A Living on the same farm that I do, lives with my mother.
Q Did you know Joseph DeVaul, father of this child? A Yes sir.
Q Do you know where he is now? A He was a Cherokee.
Q Cherokee Indian blood? A Yes sir.
Q Were you at one time married to Joseph DeVaul? A Yes sir.
Q Did you ever hear him say that his child, Jesse was his child? A I did.
Q He admitted the child to you? A Yes sir.
Q Do you know whether or not your sister kept company with any one else prior to the birth of this child? A No sir.
Q To whom she married? A I don't know she ever kept company with any one else.
Q Do you know whether or not her former husband Joseph DeVaul was recognized by the Indian authorities of the Cherokee Nation as a Cherokee? A Yes sir I think he was.
Q When were you married to Joseph DeVaul? A In 1893.
Q Do you know whether or not he drew his strip money in 1894? A Yes sir, he did.
Q I will ask you if you have any in your possession to an application having been made for that child to the Dawes Commission four years ago? A Yes sir.
Q Were you present at that time? A Yes sir.
Q What year do you think that was in? A 1900.
Q Were you present when an application was made? A Yes sir.
Q Just tell what was done? A He went to the office there to have his name put down, but he couldn't be done because he was an illegitimate child.
Q You mean the person in charge of the Commission told you that? A Yes sir.
Q What was the reason for that? A He said he would have an affidavit made out for him, but it was no good.
Q What was the name of the man? A James McLeherry.
Q What time was that? A I don't know, in July I could not say.
Q Tell me the name of the man who was with it? A With its father, mother.
Q In the Cherokee Nation? A Yes sir.

Q What District? A Illinois District.
Q What is your name? A DuVal.
Q What is your age? A About 40.

BY J. WATTS:

Q And you can't be positive that what man I was you are cared?
A No sir I couldn't.
Q Was Joe DuVal your boss as far as the time your sister got in the
family way with Jesse? A Yes sir.
Q Did he live with you until his death? A Yes sir.
Q When and where did he die? A First there where we live near
Fallsaw.
Q Does Jesse look like Joe DuVal? A He looks just exactly like
him, and he is just as dark.
Q Did you ever see anyone like Joe DuVal? A No sir I have one
brother.
Q Is his name William? A No DuVal (phonetic)? A Yes sir.
Q What is his name? A Willie.
Q Is there any other between Jesse and Joe DuVal? A Yes
there is one.

WATTS: Now, sir, I am going to ask you, test what follows:

BY THE COURT:

Q What is your name? A Joe DuVal.
Q What is your age? A 47.
Q What is your post office address? A Fallsaw.
Q Do you know Waco, Texas? A Yes sir.
Q What relation is he to you? A He is my brother.
Q Your sister's child? A Yes sir.
Q Are you acquainted with her oldest child, the one that goes by
the name of Jesse DuVal? A Yes sir.
Q When you lived in the country, did you ever see a child was
born? A Yes sir.
Q Did you know Joseph DuVal, who is the father of this child?
A Yes sir.
Q Did you ever see a child with the same resemblance to this child?
A Yes sir.
Q What did he say? A He said it was his child and he had no right
to do it. He said he was a living man if he lived, he was in to put
it on to roll with the other one, and he talked sick and died
and couldn't do it.
Q How long did you know Joseph DuVal? A I don't know, I
don't know how long he was a living man.
Q How long after the birth of this child did you see this child
with the name of DuVal? A I don't know, I don't know.
Q Did you ever see a child like Joseph DuVal? A No
sir, I don't know, I don't know, I don't know, I don't know, I don't know.
Q Were you present at any time before he came to the court on what an
allegation was made on the child? A No sir, I don't know.

BY THE COURT:

Now, sir, I am going to ask you, test what follows:

H. M. Vance, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

H. M. Vance

Subscribed and sworn to before me this 14th day of January, 1906.

Charles H. Sawyer
Notary Public.

100

at. m.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Jesse J. DuVaul as a citizen by blood of the Cherokee Nation.

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O R D E R .

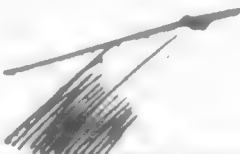
From the record in this matter it appears that Nancy Cothron appeared before this Commission on October 19, 1904, at Muskogee, Indian Territory, and presented testimony in support of her contention that she had theretofore, to-wit: on the seventh day of August, nineteen hundred, at Sallisaw, Indian Territory, made application for the enrollment of her minor child, Jesse J. DuVaul, as a citizen by blood of the Cherokee Nation.

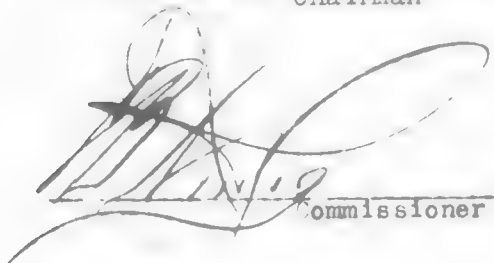
From the testimony of the said Nancy Cothron and several of her witnesses it appears that on or about August 7, 1900, at Sallisaw, Indian Territory, the said Nancy Cothron, nee O'Laughlin, appeared before this Commission and made oral application for the enrollment of her illegitimate minor child, Jesse J. DuVaul, as a citizen by blood of the Cherokee Nation, but that no record was made by the Commission of said application; that, later, on the same date and at the same place, she again appeared before the Commission and tendered a properly executed affidavit showing the birth, on February 27, 1897, of her said child, Jesse J. DuVaul, but that the Commission failed to file or make any record of same.

It further appears from the record that the said Jesse J. DuVaul is the child of one Joseph DuVaul, a Cherokee by blood, who is duly identified on the Cherokee authenticated tribal roll of 1880 and the Cherokee census roll of 1896.

It is, therefore, the opinion of this Commission that application was made to it for the enrolment of Jesse J. DuVaul, as a citizen by blood of the Cherokee Nation, within the time limited by the Act of Congress approved July 1, 1902 (32 Stat., 716); and that the Commission should now proceed to hear and determine said application, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman


Commissioner


Commissioner

Dated at Muskogee, Indian Territory,
this MAR 11 1905

United States of America,))
Indian Territory,))
Northern District.))

Before the Commission to the Five
Civilized Tribes.

In the matter of Jesse J. D'Vaul, by his mother)
Nancy Cothron, an applicant for enrollment as a)
Citizen of the Cherokee Nation by blood.)

Motion to Re-open

Comes now, Jesse J. D'Vaul, by his mother, Nancy Cothron, by their attorney Thomas J. Watts, of Maudrow, Ind. Ter., and moves the Commission to re-open the cause, case, and application of the said Jesse J. D'Vaul, in order that he may be permitted to present further proof, in support of his application for enrollment, as a Citizen of the Cherokee Nation by blood, and for reasons says:-

That on or about the 7th day of August, A. D., 1900, when the Commission to the Five Civilized Tribes was at Sallisaw, Ind. Ter., for the purpose of enrolling Citizens of the Tribe, that the applicant in company with his mother, Nancy Cothron, (whose name at that time was Nancy Layman) and her mother, Maggie O'Laughlan, et al, appeared before the said Commission, during its hours of business, and asked and applied for admission to the rolls of citizenship of said Jesse J. D'Vaul; and that thereafter and upon the same day, the said applicant, Jesse J. D'Vaul, by his mother Nancy Cothron (whose name was at that time Nancy Layman), with her mother, Maggie O'Laughlan, offered to, and presented to the Commission to the Five Civilized Tribes, during its hours of business, an application for enrollment, of said Jesse J. D'Vaul, this said application being in writing, and is filed herewith, and marked "Exhibit A", and that there is also filed herewith an exact copy of said application, which is marked "Exhibit B"; that the said Commission took said application and looked it over, and returned it to the said Nancy Cothron, informing her that under the rulings of the Commission that all persons coming within the class of the applicant, could not be enrolled,

That applicants mother is a Citizen of the United States, and that her maiden name was Nancy O'Laughlan; that applicants father , whose name was Joseph D'Vaul, was a Citizen of the Cherokee Nation by blood, and has been at all times, up to the time of his death, which took place on the 17th day of January, A.D., 1898; that said applicant was born on the 28th day of February, A. D., 1897, and that during the life time of the said Joseph D'Vaul, after the birth of said boy, Jesse J. D'Vaul, said Joseph D'Vaul, at all times recognized and admitted that he was the father of said child; that said child was born out of wed-lock, the said Nancy Cothron being a single and unmarried woman, at the time of the birth of said child.

That the holding of the Commission in refusing to enroll said applicant, was contrary to law, and contrary to evidence, in cases of this kind, and that subsequently the said Commission has reversed its holding in this class of cases.

Applicant filed herewith the affidavits of Nancy Cothron, Nancy Jane Howell, Francis Tyler, and Maggie O.Laughlan, which are marked exhibits "A, B, C, and D," all of which said affidavits are in support of the foregoing statement.

That said applicant can amply prove that his father, Joseph D'Vaul, was a duly enrolled and recognized citizen of the Cherokee Nation by blood, and that he was the father of said applicant, and that the said applicant is now, and has at all times been a resident of the Cherokee Nation, and for the above reasons applicant asks, that this cause be re-opened.

Jesse J. D'Vaul, applicant, by Nancy
Cothron, his mother,

BY

Thos. J. Watts
attorney.

COPY.

Doc. No. 10861.

Muskogee, Indian Territory, April 29, 1905.

Thomas J. Vane,

Attorney for Jesse J. DuVaul,

Vuldrow, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of April 24, 1905, asking to be advised as to the status of the application for the enrollment of Jesse J. DuVaul as a citizen by blood of the Cherokee Nation.

In reply you are advised that the name of the said Jesse J. DuVaul has been placed upon a final schedule of citizens by blood of the Cherokee Nation and forwarded to the Secretary of the Interior for approval. It is impossible for the Commission to state when said schedule will be approved by the Secretary, but it is supposed that such action will be taken in the near future.

Respectfully,

SIGNED, *Tams Bixby.*
Chairman.

COPY

Cherokee-10861.

Muskogee, Indian Territory, June 2, 1905.

Thomas J. Watts,
Attorney for Jesse J. DuVaul,
Muldrow, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of May 26, 1905, asking to be advised as to the status of the application for the enrollment of Jesse J. DuVaul as a citizen by blood of the Cherokee Nation.

In reply you are advised that the name of the said Jesse J. DuVaul appears upon a partial roll of citizens by blood of the Cherokee Nation approved by the Secretary of the Interior on April 25, 1905, opposite No. 32346.

Respectfully,

Franc Bixby.
Chairman.

Okla. 10861

In re application of
Jesse L. Laval

I believe attached testimony and exhibit its entireish conclusively that, on or about August 7, 1900, atallisaw, Indian Territory, application was made to the Commission for the enrollment of one Jesse L. Laval, a minor, as a citizen by blood of the Cherokee Nation, but that, by reason of a misapprehension on the part of the Commission in the matter as to the age of the applicant, the same was not accepted and application.

It would advise that an order was thereupon made showing the filing of this application on August 7, 1900; and that in view of the evidence now on record it is apparent he is eligible for enrollment in a Cherokee straight war.

Very truly yours,

Cher 10862

John Henry Quinton

Cher 10862

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., October 27, 1900.

In the matter of the application of Bell Ida Quinton for the enrollment of herself and two children as Cherokee citizens; being sworn and examined by Commissioner Breckinridge she testified as follows:

Q Give me your full name A Bell Ida Quinton.
Q How old are you? A 34
Q What is your post-office? A Inola.
Q Do you live in Cooweescoowee District? A Yes sir.
Q Do you want to enroll yourself and family? A Yes sir.
Q Have you a husband? A No sir.
Q How many children have you? A 2
Q Are you a Cherokee by blood? A No sir.
Q Have you a certificate of marriage to your husband? A Yes sir. (Produces papers)
Com'r: The applicant presents an official copy of the marriage license issued by the Probate Judge of Cowley County Kansas May 5 1884 authorizing marriage between George W. Quinton and Ida B. Tyler he aged at that time 22 years and she 16 years. The certificate shows that they were united in marriage by the Rev. N.S. Buckner Minister of the Gospel, on the 7th day of the same month, but the year is not filled out. This is filed with the application.
Q Were you ever married except to your husband George W. Quinton?
A No sir.
Q How were not previously married? A Yes sir, he was all the one I was ever married to.
Q You were not, then, married to anyone before you married him?
A No sir.
Q Is he dead? A I couldn't tell you, I haven't seen him since the Cherokee payment.
Q How long since you and he ceased living together as husband and wife? A 10 years.
Q Have you married any one since you separated from him?
A No sir.
Q Have you ever had a divorce from him? A No sir.
Q Did he leave you or did you leave him? A Yes sir, he left me
Q Where were you living at that time? A Down at Muskogee.
Q And he went away and left you at the home which you occupied?
A No sir he left me with a family named Crittenden.
Q He left you there where you and he had been stopping? A Yes sir
Q Have you known much about him since? A No sir.
Q You know where he is now? A No sir.
Q He is a native Cherokee? A Yes sir.
Q Has he lived in the Cherokee Nation all his life? A Yes sir.
Q Was he ever married before he married you? A I don't know, whether he was or not.
Q Give me the names of your children? A John Henry.
Q How old is that child? A 16 years old.
Q When was he born? A In 1885.
Q In what time of the year? A 6th day of October or November, I forget.
Q Give me the name of the next child? A Willie.
Q How old is he? A 12 years old.
Q They are both living now are they? A Yes sir.
Q How old is your husband now? A He was 22 I think when we was married.
Q What was the name of your husband's father? A John Quinton
Q Give me the name of his mother, A Nellie Quinton.
Q Are they dead? A Yes sir.
Applicant: My husband may be on the roll as Jack Quinton.
Q Was his mother a McDaniel in 1880? A I don't know.

1880 roll for husband page 570 #1459a Jack Quinton Illinois Dist
native Cherokee, 18 years old.

1896 roll for husband, and name not found;

Q Where was George W. Quinton in 1896? A I don't know where he
was.

1896 roll examined for children and names not found;

1894 roll for children and names not found;

1896 roll examined for applicant and name not found;

Q Did you draw Cherokee Strip money for these children?

A Yes sir.

Q When did you come to the Cherokee Nation with your husband?

I have been here ever since we were married, we just got married
and come right back to the Cherokee Nation.

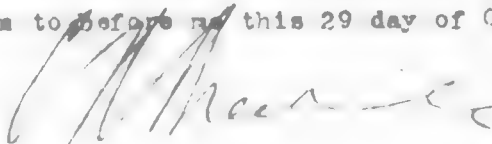
Q And you have been here ever since, A Yes sir, I have got
one place three miles from Inola and one six miles from Inola, -
one east and the other one west.

Com'r Breckinridge: The applicant applies for the enrollment
of herself, and 2 children; she is ~~identified upon~~ shown to have
been married to a Cherokee husband in 1884; she states that she
has lived in the Cherokee Nation ever since her marriage; that she
was never married before, and she does not know that her husband
was ever married before; that she and her husband have not lived
together for 10 years, but that no divorce has ever been had between
them, and she has never re-married; her husband is identified on
the roll of 1880, but not upon the roll of 1896; though he is said
to be still living; the applicant will at present be listed upon a
doubtful card as a Cherokee by adoption.

Neither of her children are identified on the roll of 1896 or
1894; she states that she procured Cherokee Strip money for her
children; for their further identification and consideration of the
case they will be placed upon a doubtful card, as Cherokees by blood.

M. D. Green, being first duly sworn, states that as stenographer to
the Commission to the Five Civilized Tribes he correctly recorded
the testimony and proceedings in this case and that the foregoing is
a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 29 day of October 1900.



Commissioner.

File in D 728

REJECTED as to wife, Medie.

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T. March 25th, 1901.

In the matter of the application of Jack Quinton for the enrollment of himself and two children as Cherokee citizens by blood, and for the enrollment of his wife as a Cherokee citizen by intermarriage; being sworn and examined by Commissioner Needles, he testified as follows:

- Q What is your name? A Jack Quinton.
- Q No middle name? A No sir.
- Q Not Jackson? A No sir.
- Q How old are you? A 39
- Q What is your post office address? A Wildcat.
- Q What district do you live in? A I dont know what district that is, Wildcat, out in the Creek Nation.
- Q You want to enroll as a Creek or Cherokee? A I want to enroll as a Creek if I can get my transfer.
- Q Are you a citizen of the Cherokee Nation? A Yes sir.
- Q And a citizen of the Creek Nation too? A No sir.
- Q Do you want to have Cherokee citizenship, or Creek citizenship?
- A I want to take my land in the Creek Nation.
- Q What right have you to get enrolled in the Creek Nation.
- A I have heard they were getting transfers.
- Q We have no right to transfer you unless you are a citizen in both Nations, and then you could elect. We can enroll you as a Cherokee?
- A All right.
- Q You live in the Creek Nation? A Yes sir.
- Q You are a recognized citizen of the Cherokee Nation are you?
- A Yes sir.
- Q Who do you want to enroll? A I want to enroll myself and my wife I forgot my certificate though.
- Q Yourself, wife and how many children? A Two.
- Q What is the name of your wife? A Medie.
- Q Is she a Cherokee by blood? A No sir, she is a white woman.
- Q What was her name when you married her? A She was a widow when I married her, her name was Young.
- Q What is her age? A- 24
- Q Have you any certificate of marriage? A Yes sir, but I didn't bring it; we were married here at the Court house.
- Q When were you married? A We were married last summer.
- Q In the year 1900? A Yes sir.
- Q According to the laws of the United States? A Yes sir.
- Q What are the names of your children? A She has got one child, could I enroll it; it is by her other man; he was a white man.
- Com'r: Oh, no, she is a white woman and it is a child by a white man, and you couldnt enroll that.
- A Well, Neal Quinton.
- Q How old is he? A 17
- Q That all the name he has got? A Yes sir.
- A Jesse Quinton.
- Q How old is Jesse? A Nine years old.
- Q Next child? A That's all.
- Q Who was the mother of Neal Quinton? A She was Josh Sanders' daughter.
- Q She was a Cherokee by blood? A Yes sir.
- Q You were married to her? A I was married to her by the Cherokee law.
- Q What was her father's name? A Josh Sanders.
- Q Is he living? A No sir, he is dead.
- Q What is her mother's name? A Mary Sanders.
- Q Is she living? A No sir, she was dead when I married her.
- Q What was your first wife's name? A Mary, same as her mother's.

Q About how old was she? A She was eighteen when we were married.
Q When did she die? A She died in 1885, I think it was, -no, it was kater than that.
Q About how old was she when she died? A She must have been about 22 the best I can remember.

Q She was your first wife? A YEs sir.
Q Was she alive when you married your second wife, or was she dead?
A No sir, she was dead.
Q Have you any children by your second wife? A One.
Q What is its name? A This is my third wife.
Q Have you got any children besides these? A Jesse there, his mother was named Lou Patton.
Q Was she a citizen by blood? A No sir, she was a white woman.
Q You were married to her? A Yes sir.
Q Any certificate of marriage to her? A No sir, we were married by the Cherokee laws.
Q Were you born in the Cherokee Nation? A Yes sir, raised up in the Cherokee Nation.
Q How long have you been living in the Creek Nation? A Little over a year last January.
Q Do you own any property in the Cherokee Nation? A No sir.
Q Own any property in the Creek Nation? A None to amount to any-thing, I just worked over there last year.
Q Have you ever voted in the Creek Nation? A No sir.
Q Just been living in the Creek Nation about a year? A Yes sir, have been working there about a year.
Q What district would your wife be in 1880? A Canadian District.
her mother was'nt living at that time, in 1880; her father was living

1880 authenticated Cherokee roll examined for applicant's wife, Mary Sanders, page 49 #1360, M. J. Sanders, Canadian District.

Q How old would Mary J. be if she was alive do you suppose?
A She would be somewhere in thirty.
Q Do you know Lillie Sanders? A Yes sir, that was Johnnie Sanders' girl.
Q Was she named Mary Jane? A Yes sir, Mary J.
Q Was your wife? A Yes sir.
Q Lillie Sanders was a good deal younger than her, was'nt she?
A Yes sir, she was real small when my wife was grown.

1880 authenticated Cherokee roll examined for Jack Quinton, page 370 #1459, Jack Quinton Illinois District.

1896 Cherokee census roll examined for Jack Quinton, and name not found thereon.

Q Were you enrolled in 1896? A I think not, I was out west at that time, and did'nt come; -herding cattle.
Q Your wife Mary, was she alive then? A No sir.
Q Was your wife Lou alive in 1896? A No sir, she was dead.
Q Aree Neal and Jesse living at this time? A Yes sir.
Q Have you got anybody you can prove your marriage to Lou Patton?
A I have, but not here.
Q You were married before 1880 to Mary, over 20 years ago?
A No sir, I was 21 when I married Mary, just 21 years old when I married Mary.
Q Who is Mary Quinton on the roll of 1880 herewith you? A That must be here
Q Is she living now or dead? A Mary Quinton, she is dead. I have got a sister named Mary.
Q Is she living? A No sir, she is dead.
Q You have always lived in the Cherokee Nation then until about a year ago? A Yes sir.
Q We could'nt enroll your present wife because she is a white woman and you married after 1895; that cuts her out; you see under the law of the Cherokee Nation all white persons married after 1895 dont have

Jack Quinton et al - 3 -

any rights.

A All right.

Q Did you ever draw strip money for Neal and Jesse? A I did'nt draw for Neal myself at the strip payment, I drew for Jess.

1894 Cherokee Strip payment roll examined for Neal and Jesse Quinton page 277, #3449, Jess Quinton, Cooweescoowee District.

A Josh Sanders drew for Neal, his grandfather.

Q This boys name Neal or Cornelius? A I always called him Neal.

Q Does he sign his name Cornelius or Neal? A I always signed it Neal; if he has got it on the roll there Cornelius I guess that's the name.

1894 Cherokee Strip Payment roll, page 828 #1742, Cornelius Quinton, Illinois District.

Com'r: The applicant applies for the enrollment of himself, his wife and two children; his name is found upon the authenticated roll of 1880, but is not found upon the census roll of 1896; he giving satisfactory reason therefor in the testimony. He avers that he was married to Medie Young, a white woman, in the year 1900; he avers that he has been married three times; that his first wife was named Mary J. Sanders, who was a Cherokee by blood, now deceased; the name of Mary J. Sanders is found upon the authenticated tribal roll of 1880; he avers that by his marriage with the said Mary J. Sanders he had one son Cornelius, seventeen years of age, whose name is found upon the payment roll of 1894, but not on the census roll of 1896; he avers that after the death of Mary J. Sanders he married Lou Patton a white woman, by whom he has one child named Jesse, whose name appears upon the payment roll of 1894, but not upon the census roll of 1896; he presents no proof of his marriage to said Lou Patton, a white woman; they are all duly identified according to page and number of the rolls as indicated, and made satisfactory proof of residence, consequently, Jack Quinton and his sons, Cornelius and Jesse, will be duly listed for enrollment as Cherokee citizens by blood; in order to complete the enrollment of his son Jesse it will be necessary to file with this Commission satisfactory proof of his marriage to Lou Patton, his second wife.

The fact that he was married to his present wife in the year 1900, too late under the laws of the Cherokee Nation for inter-married whites to receive any benefit of citizenship, his application for the enrollment of his wife will be rejected.

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Signed, M. D. Green.

Subscribed and sworn to before me this 25th of March, 1901.

Signed, C. R. Breckinridge, Commissioner.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the original transcript.

Erica M. Green

27

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 27 1902

[Handwritten signature]

TO THE COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS

WASHINGTON, D. C.

MAR 27 1902

RECEIVED

Supl.-C.D.#728.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 19, 1902.

SUPPLEMENTAL in the matter of the enrollment of BELLE I. QUINTON, ET AL., as citizens of the Cherokee Nation:

The applicant was notified by registered letter February 18, 1902, that her application for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 8th day of March, 1902. Receipt was acknowledged of commission's letter and on said date, to-wit: the 8th day of March, the applicant appear by her attorney, A. H. Norwood, Dewey, Indian Territory, and by agreement with the representative of the Cherokee Nation present, the case was continued until the 19th day of March, 1902. The same being this day, to-wit: the 19th day of March, 1902, called the applicants fail to appear either in person or by attorney.

The Cherokee Nation by its representative makes satisfactory proof of service on the said Belle I. Quinton that it would introduce testimony tending to disprove her right to be enrolled as a citizen of the Cherokee Nation.

LUCINDA LANGLEY, being duly sworn, testified as follows on part of the Cherokee Nation:

BY MR. W. W. HASTINGS, Cherokee Representative:

- Q What is your name? A Lucinda Langley.
Q What is your poast office? A Claremore when I am at home.
Q What is your age? A 66 last February.
Q Do you know Belle I. Quinton? A Well, I don't know her personally, only just hearsay.
Q You know of her? A Yes, sir.
Q Well, did you know her husband, I suppose his name was Jack Quinton? A Yes, sir; G. W. Quinton.
Q George W. Wquinton? how long did you know him?
A Ever since '66.
Q He was an old like man then is he? A Yes, sir.
Q Well, you know who he married first? A Married Mary Sanders, my niece.
Q How long did he live with her? A Well, not very long I don't think, he lived with her a year.
Q You know that he married her? A Yes, sir.
Q Did he separate from her? A Yes, sir.
Q You know whether they were ever divorce? A No, sir, I do not; if they was I never heard of it.
Q Never heard of it? A No, sir.
Q What was his second wife's name? A Well, I don't know her name exactly; her was was Ellen, but her mother's name was Dewit, Mrs. Dewit.
Q Did he live with her until her death? A No, sir.
Q Did he quit her? A Yes, sir.
Q Do you know whether they were ever divorced or not? A No, sir.
Q Who did he marry next? A Patton's daughter, Lou Patton.
Q How long did he live with her? A Until she died.
Q That is his third marriage; well, now, about his fourth marriage?
A I don't know, he had a couple more, I don't know whether he is married or not. That is the time of strip payment.

Q Do you know whether this was his last wife or not, this Belle?
A No, sir, she was not his last one.
Q But he had married Mary Sanders before he had this one?
A Yes, sir.
Q And separated from her? A Yes, sir.
Q And if he ever had a divorce you don't know it?
A No, sir.
Q Well, you don't know whether he run off with this woman and left his third wife? A Yes, sir.
Q You know that do you? A Yes, sir.
Q When did Mary Sanders die? A I cannot tell you, she died here up the country somewhere.
Q Well, about what time, during the strip payment? A I think it was before, it was before the payment.
Q It was after he took up with this Belle I. Quinton and married her? A Yes, sir.
Q She was living then when he took up with this woman?
A Yes, sir, she has got a boy now living, he is 19 years old by Quinton.
Q You know of the marriage of George W. Quinton and Clara Bushyhead?
A No, sir.
Q You knew they lived together as husband and wife? A Yes, sir.
Q Did he have some children by her? A Two.
Q Did he quit her? A Yes, sir.
Q Did he marry anybody after he quit her? A No, sir; I don't know.
Q ~~Has he~~ Is he living with a white woman now? A I don't know.
Q About how long ago was it he was living with Nellie Bushyhead and quit her? A About '75 or 6.
Q Do you mean twenty odd years ago, or five or six years ago?
A It has been close; yes, five or six years ago.
Q How far did they live from you? A He lived out in on Pryor Creek, or somewhere out in there.

Commission: It is directed that a copy of this testimony be filed with and made a part of the record in the case of Jesse Quinton, Cherokee straight case #7427.

Mr. Hastings: For the purpose of showing that George W. Quinton was not lawfully married to the mother of Jesse Quinton, who was a white woman, for the reason that he had been previously married to two if not more women, viz: Mary Sanders and Belle I. Tyner.

Now the representatives of the Cherokee Nation ask that a copy of the testimony in straight Cherokee case "7427 be filed and made part of the record in this case in order to show the admission of previous marriages of George W. Quinton himself.

Commission: The request of the Cherokee Nation will be complied with. The applicant having this day, to-wit: the 19th day of March, 1902, failed to appear either in person or by attorney, the record in this case is now deemed completed, and the same will be reported to the Commission for final decision based upon the evidence now of record.

---oooOoo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 25, 1902.

In the matter of the application of **BELLE I. QUINTON**, for the enrollment of herself and children as citizens of the Cherokee Nation:

BELLE I. QUINTON, being duly sworn and examined by the Commission, testified as follows:

- Q What is your name ? A Belle I. Quinton.
Q How old are you ? A I am 34 will soon be 35.
Q What is your post office address ? A Inola, I. T.
Q Are you the mother of John H., and Willie Quinton ?
A Yes sir.
Q Are you also the guardian of Andrew F. Crittenden ? A Yes sir.
Q What is the name of your husband ? A Jack Quinton. They call him George Quinton.
Q When were you married to him ? A I was married seventeen years ago; or eighteen, I don't know exactly.
Q Was your husband ever married before he married you ?
A Not that I know of.
Q Jack Quinton was never married before he married you ?
A No sir, not that I know of.
Q Are Jack Quinton and George Quinton one and the same person ?
A Yes sir.
Q How long did you know Jack Quinton before you were married to him ? A About a year, or hardly so long.
Q Is he living now ? A Yes sir I think he is.
Q Is he married ? A I think he is. He has been married half a dozen times they tell me. I have never seen him since me and him parted twelve years ago.
Q You mean he has been married a half a dozen times since then or before ? A Yes sir since he quit me.
Q Where is he now ? A When I was here before they told me he was on the Arkansas river somewhere.
Q Didn't he ever tell you he was married before he married you ?
A No sir.
Q Never mentioned it at all ? A No sir.
Q Did you ever ask him ? A After we were married I did.
Q What did he say ? A He said he wasn't never married before he married me.
Q Where have you been living since you were married to him ?
A In the Cherokee Nation.
Q Were the children both born in the Cherokee Nation ? A Yes sir.
Q Was Willie born prior to your separation or afterwards ?
A Just afterwards
Q How long ? A About four months.
Q Were you ever married before you married Quinton ? A No sir.
Q How old a man is he now ? A I think he was about three or four years older than I was.
Q You are about how old ? A I am 34 going on 35.
Q What year were you married to him in ? A I forget.
Q About how many years ago ? A Its been about seventeen or eighteen years.
Q Did you ever hear him speak of a woman named Mary Sanders ?
A Yes sir he had a sister named Mary Sanders, married Josh Sanders.
Q He was never married to a woman named Mary Sanders ?
A Not that I know of.

Examined by W. W. Hastings:

Q Did he have a child when he married you ?

A Yes sir, had a little boy.

Q What was his name ? A I don't know what his name was. He was a small child.

Q What did he call him ? A I never did see the child; he said he had a child by a woman that was dead.

Q I thought you said he said he never had been married ?

A Well, his wife was dead, he always claimed to me. He asked me if he had a living wife.

The Commission: No I didn't; I asked you if he was ever married before he married you.

A I don't know; he always claimed to me that he never was married to her. Of course I guess that's what he claimed to those other women, that he never was married to me.

Q Well he never was married to you was he ? A Yes sir, they have got my marriage certificate right here.

Q Have you been married since ? A No sir.

Q How long did you live with him ? A I lived with him about six years.

Q Where were you living when you left him ?

A Down by uncle Joe Hilderbrand's.

Q Did you leave him ? A No sir, the last time we separated we went to the Osage Nation, and he sent me back down here, and he told me if I would come back down here he would come down to me, and I come back, and he never did come back.

Q Have you ever seen him after that ?

A Yes sir, I seen him once after that.

Q Did you write to him about coming back down here ?

A Yes sir, he wrote me a letter or two, and he always said he would come; and some of the boys said they seen him get on a train down here and go to Texas, and the next thing we heard we heard he was married down there.

Q Where have you been living since that time ?

A Near Inola, for about nine years. Ever since the year before the strip payment.

Q Never been married since ? A No sir.

Q How old is the youngest child now ? A He is twelve years old, going on thirteen.

E. C. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell

Subscribed and sworn to before me this June 30, 1902.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, October 20th, 1902.

In the matter of the application of Belle I. Quinton for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation and for the enrollment of her children John H. and Willie Quinton, as citizen by blood of the Cherokee Nation.

Supplemental to D-728.

Cherokee Nation appears by J. C. Starr.

BELLE I. QUINTON, being duly sworn, testified as follows:

Examination by the Commission.

- Q? What is your name? A. Belle I. Quinton.
Q. How old are you? A. I am 36.
Q. What is your post office? A. Inola.
Q. Are you a white woman? A. Yes, sir.
Q. Are you claiming the right to be enrolled as a Cherokee citizen by intermarriage? A. Yes, sir.
Q. What is the name of the husband through whom you claim citizenship? A. Jack Quinton, or George Quinton. He always went by the name of Jack.
Q. When were you married to him? A. About 20 years ago.
Q. You don't remember what year, do you? A. No, sir; I don't remember exactly.
Q. Had Jack Quinton ever been married before he married you?
A. No, sir; not that I know of.
Q. You don't think he was? A. No, sir; not that I know of.
He always told me he wasn't.
Q. Had you been married before you married him? A. No, sir.
Q. So far as you know neither you nor your husband had been married before? A. No, sir.
Q. Do you know if your husband had a wife named Sanders before he married you? A. No, sir.
Q. You don't know anything about that? A. No, sir; I just come to the Territory when I got acquainted with him.
Q. How long did you and your husband live together after you were married? A. We lived together about 8 years--lets see; 6 years.
Q. When did he die? A. He ain't dead.
Q. You separated? A. Yes, sir.
Q. You separated after living with him for about 6 years?
A. Yes, sir.
Q. Did he leave you or you leave him? A. He left me.
Q. What was the matter? A. Well, he just got up and pulled out, that is all I know, and left me with three little children.
Q. Did he give any reason why he left you? A. No, sir.
Q. Did you ever give him any cause to leave you? A. No, sir; I never gave him any cause to leave me.
Q. Had you had any trouble? A. Nothing only he just run around all the time.
Q. Did he provide for you? A. No, sir; I had to work to support my children.
Q. Did you make any effort to have your husband come back and live with you? A. No, sir.
Q. Didn't want him back? A. No, sir; I didn't want him back.
Q. Have you got the children? A. Yes, sir.
Q. Are you living on the place where he left you? A. No, sir.
Q. Where is your husband living? A. I don't know.

- Q. Have you married since your separation? A. No, sir.
 Q. How many children have you? A. I had three and one is dead.
 Q. John H. and Willie are living? A. Yes, sir.
 Q. Have they lived in the Cherokee Nation ever since they were born? A. Yes, sir.
 Q. Have you lived in the Cherokee Nation ever since you were married? A. Yes, sir.
 Q. Never lived anywhere else? A. No, sir.

Examination by Mr. Starr.

- Q. Where was Jack Quinton living when you were married?
 A. We was in Arkansas City, Kansas. We went up there and stayed about a month.
 Q. How long had you known him before you married him? A. I hadn't known him more than about 6 months or a year.
 Q. Do you know whether he had another wife? A. No, sir.
 Q. Did you know he had a wife named Mary? A. He said he had a sister Mary, and one named Maggie, I believe. He never did say anything about his wife.
 Q. Where did you live after you got back from Arkansas City?
 A. Just lived here and there.
 Q. Where were you living when this separation took place?
 A. He took me to the Osage Nation.
 Q. Were you out there when you separated? A. He sent me back.
 Q. Where did you stay in the Osage Nation? A. Pawhuska.
 Q. How long did you stay in Pawhuska before you separated?
 A. About 2 or 3 weeks.
 Q. Keep house there? A. No, sir; we lived in the house with his folks.
 Q. You left him there and came back to the Cherokee Nation?
 A. Yes, sir. He sent me back and said he would come back here and he never did come.
 Q. Where did you come to? A. I come to Matt Crittenden's.
 Q. Did you make any effort to get him to come back? A. I wrote to him a time or two and then I didn't hear from him any more.
 Q. You left your husband and come to the Cherokee Nation?
 A. I didn't leave him. He sent me back here. I didn't leave him. He said he would come here and he didn't come. The next thing I heard of him I heard he was going to Texas to some of his folks.
 Q. Have you been married since that time? A. No, sir.
 Q. Who lives with you now? A. Mr and my children. I am keeping house for a man named Coe. I appointed him guardian to make my children a place when my baby was about six months old. We made a place in the Creek Nation and the Creeks told us we couldn't hold it and we traded it to old man Robinson and went to the Cherokee Nation.
 Q. Coe was living with you then, wasn't he? A. Yes, sir.
 Q. How many years has he been living with you? A. About 12 years. About 13 I guess.
 Q. You and this man Coe and those children are living there?
 A. Yes, sir. My brothers was with me part of the time. I have got two brothers.
 Q. Didn't you go up in Kansas and get married to this man at one time? A. No, sir.
 Q. Never married any any time? A. No, sir. I never carried his name.
 Q. Were you ever married to him? A. No, sir.

Examination by the Commission.

Q. How old a man is this man Coe? A. He is about 36, I guess.
He is about the same age I am.
Q. Is he a single man? A. Yes, sir.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 13th day of December, 1902.

B. O. Jones
Notary Public.

Cherokee D-728.

COMMISSION OF THE FIVE CIVILIZED TRIBES.

-000-

In the matter of the application for the enrollment of John Henry Quinton, et al., as citizens by blood of the Cherokee Nation.

O R D E R.

It appears from the record in this case that on October 29, 1900, Bell Ida Quinton appeared before this Commission, at Claremore, Indian Territory, and made application for the enrollment of her two minor children, John Henry (16 years old) and Willie Quinton (12 years old), as citizens by blood of the Cherokee Nation, their names being listed on Cherokee Card, D-728.

The evidence in this case shows that John Henry and Willie Quinton are the children of Bell Ida Quinton, a noncitizen white woman, and Jack (or George W.) Quinton, whose name appears (as Jack Quinton) upon the 1880 Authenticated Cherokee Roll.

Both of said applicants herein have resided continuously in the Cherokee Nation from the date of their birth up to and including September 1, 1902.

It is, therefore, ordered that John Henry Quinton and Willie Quinton be transferred from Card, Cherokee D-728 to Card, Cherokee 10562.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Muskogee, Indian Territory,

MAR 14 1905

COPY.

Cherokee-10862.

Muskogee, Indian Territory, March 16, 1905.

Commissioner in Charge,

Cherokee Land Office,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of an order of the Commission dated March 14, 1905, transferring the enrollment of John Henry and Willie Quinton from Cherokee enrollment card No. D-728 to Cherokee enrollment card No. 10862, together with said transferred enrollment card No. 10862.

Respectfully,

Incl. S-3.

(SIGNED).

Tams Dixby.
Chairman.

Cher 10863

James Fannie Warren

Cher 10863

10863

10863

Q When were you married to your wife? A The 29th day of June, 1892.

Q Have you any license or certificate? A I have.

Q Let me see them please? A (Produces papers.)

COMMISSIONER: The applicant produces a marriage license issued to him by the authorities of the Cherokee Nation, authorizing the marriage of Joseph H. Warren and Miss Fannie Monroe, he being a citizen of the United States and she a citizen of the Cherokee Nation, said license being dated the 29th day of June, 1892, signed H. H. Trott, clerk Coconawee District, by W. H. Drew, Deputy Clerk, and bearing seal of department of Justice, Coconawee District, Cherokee Nation.

On back of said license is certificate of marriage between Joseph H. Warren, citizen of United States, and Miss Fannie Monroe, citizen of the Cherokee Nation, dated June 29, 1892, signed John M. Taylor, Jr., Mayor of Claremore, I.T.

Said license and certificate recorded in office of Clerk of Coconawee District, C. H., Book B., page 139, July 1st, 1892. This document is filed inewith.

WILLIE C. J. WARREN, being sworn and examined, testified as follows:

BY COMMISSIONER:

Q What is your name? A Willie C. J. Warren.

Q How old are you? A 34 I think.

Q What is your post-office address? A Cateona, I. T.

Q What district do you live in? A Coconawee.

Q You are the mother of Fannie Warren, James Fannie Warren, for whom application is now made for enrollment as a citizen by blood of the Cherokee Nation? A Yes sir.

Q You are a white woman are you not? A No sir.

Q What blood do you claim? A 1/16

Q One-sixteenth what? A Cherokee.

Q Have you ever been recognized as a citizen by blood of the Cherokee Nation? A Why I get permits for people long years ago as a citizen.

Q Does your name appear upon the authenticated roll of 1880?

A No sir.

Q Does your name appear upon any of the rolls of the Cherokee Nation? A Yes sir, it is on every one since '83 I think it was.

Q Did you ever draw any money as a citizen by blood of the Cherokee Nation? A No sir.

Q You have heretofore made application to the Commission for enrollment have you not? A Yes sir.

Q Did you apply as a Cherokee by blood or a Cherokee by intermarriage? A They asked me if I was a Cherokee by blood, of course I had my marriage certificate; I married Colsten; I don't know whether I was taken down as adopted white or a citizen; I told them I was a Cherokee by blood.

Q Who is the father of your daughter James Fannie, now James Fannie Warren? A James Monroe.

Q Were you married to James Monroe? A That paper there will show.

Q That affidavit which you handed me states that James Monroe was the father of your child James Fannie, but it does not say anything about your having been married to James Monroe? A Well I have no proof, I have no certificate.

Q Was there ever any marriage ceremony performed between you and James Monroe? A No sir.

Q Did you ever live with him as his wife? A Yes sir.

Q For what length of time? A About a year.

Q Were you recognized in the community where you lived as man and wife and did he hold you out to the public as his lawful wife? A Why I went with him and everybody called me - I passed as his wife.

Q You lived with him about a year and then separated from him? A Yes sir.

Q Was he ever married before he lived with you? A No sir.

- Q Were you ever married before you lived with him? A Yes sir.
- Q Were you ever married more than once before you began living with James Monroe? A No sir.
- Q Was your former husband dead at the time you began living with this man James Monroe? A Yes sir.
- Q Was your former husband, the one you had before you began living with James Monroe, was he a white man or a Cherokee? A He was a white man.
- Q Did you ever have more than this one child by that man James Monroe? A No sir.
- Q This James Monroe, what was his full name? A Why he always signed his name J. M. Monroe.
- Q Do you know whether he had a wife living with him along about 1880? A He was married in 1878.
- Q Has your daughter Fannie always lived in the Cherokee Nation? A Yes sir, only when she was out of the Nation on a visit.
- Q To whom was James Monroe married in 1878? A Fannie Keller.
- Q Was he living with her along about 1880? A I think so.
- Q In what district? A Delaware District.
- Q Was her full name Mary Frances? A I do not know, she always went by the name of Fannie.
- Q Do you know whether or not they had any children living with them along about 1880? A I think they did.
- Q When did your daughter James Fannie first go out of the Nation visiting? A I taken her out in 1880, she was an infant then, my home has always been here ever since.
- Q When you and your daughter went out of the Cherokee Nation in 1880 visiting, how long did you stay? A Didn't stay more than about two or three weeks.
- Q Then did you return to the Cherokee Nation? A Yes sir.
- Q Then how long did you remain in the Cherokee Nation? A I have remained here ever since.
- Q Neither you nor your daughter have been out of the Cherokee Nation since that visit in 1880? A I have been out and back and just visiting that is all.
- Q When was the next time your daughter left the Cherokee Nation? A I think it was the 30th of October, it was last fall.
- Q How long did she remain out at that time? A About a month I think.
- Q Where did she go to? A She went down in Texas.
- Q Has she ever been out of the Cherokee Nation since that visit? In October last fall, the fall of 1901? A No sir, not since then.
- Q When did you first begin living with this James Monroe as his wife, in what year? A About 1877.
- Q And you lived with him about one year from that time? A Yes sir.
- Q When did you next marry after your quit living with James Monroe, A Married March 13th, 1881 I think it was.
- Q Who did you marry at that time? A Richard Gelston, they called him Dick for short.
- Q Was he a citizen by blood of the Cherokee Nation? A Yes sir.
- Q Did you secure any divorce from James Monroe before your marriage to Gelston? A No sir.
- Q Did he secure any divorce from you? A No sir.
- Q Why did you not get a divorce from Monroe? A He had done married and I didn't suppose it required me to get one.
- Q Did he secure license or certificate, did you secure license or certificate in your marriage to Richard Gelston? A I got a marriage certificate, the Indian Commission has got it.
- Q Had you ever been married more than once before that? A No sir.
- Q You were never admitted to citizenship in the Cherokee Nation by any authority whatever? A No I don't think that I were.

1880 authenticated roll of citizens of the Cherokee Nation examined for applicant's wife's father, and identified on page - - No. 1778, as J. M. Monroe, Delaware District, and as native Cherokee. (Enrollment taken from printed copy 1880 roll.)

Department of the Interior,
Commission to the Five Civilized Tribes,
Catoosa, I. T., June 16, 1903.

In the matter of the application of Joseph H. Warren for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife and two children as citizens by blood of the Cherokee Nation;

Being sworn and examined he testified as follows:

BY COMMISSION:

- Q What is your name? A Joseph H. Warren.
- Q How old are you? A I was born December 4th, 1871.
- Q You are 31 years old? A Yes sir.
- Q What is your post office address? A I am working at Haldenville, Indian Territory at the present time, I have been there about four months.
- Q Is that where you live? A No, my home is here at Catoosa, I. T.
- Q What district do you live in? A Cooweescoowee.
- Q You apply for enrollment as a citizen by intermarriage of the Cherokee Nation? A Yes sir.
- Q Who do you apply for besides yourself? A My wife and two children.
- Q What is the name of your wife? A James Fannie Warren.
- Q How old is she? A 24.
- Q What is the name of your oldest child? A John Henry Warren.
- Q How old is that child? A Eight.
- Q What is the name of the next child? A Willie Demoris Warren.
- Q How old is that child? A Three.
- Q Is that a boy or a girl? A It is a girl.
- Q This is all of the family you have? A Yes sir.
- Q What is the name of your father? A E. J. Warren, M. D.
- Q Is he living? A Yes sir.
- Q He is a white man? A Yes sir.
- Q What is the name of your mother? A Nancy Warren.
- Q Is she living? A No sir.
- Q She was a white woman? A No sir.
- Q What was she? A She was a Cherokee claimant.
- Q She was never recognized as a citizen by blood of the Cherokee Nation? A No sir.
- Q Then do you claim a right to enrollment as a citizen by blood or by intermarriage? A By intermarriage.
- Q What is the name of your wife's father? A Jim Menree.
- Q Is he living? A No sir.
- Q When did he die? A 13 years ago.
- Q Was Jim Menree a Cherokee by blood? A Yes sir.
- Q Does his name appear upon the authenticated roll of 1880 as a recognized citizen by blood of the Cherokee Nation? A Yes sir.
- Q What is the name of your wife's mother? A Willie G. J. Warren.
- Q Is she living? A Yes sir.
- Q Is she a Cherokee by blood? A Yes sir, a claimant.
- Q Has she been recognized as a citizen by blood of the Cherokee Nation? A They have never decided on her case, it is in the court now.
- Q In what court? A Dawes Commission.
- Q She has applied to the Dawes Commission for enrollment and has been listed for enrollment upon a doubtful card? A I don't know, I could not say as to that.
- Q BY COMMISSIONER: Willie G. J. Warren has been listed for enrollment upon Cherokee card No. 2-2113.
- Q Have you any proof of the marriage of Willie G. J. Warren to James Menree? A No.
- Q Was she ever married according to law to this James Menree? A I could not say.
- Q Does your wife's name appear upon the 1880 roll? A I don't think it does.
- Q Do you know who? A No sir.

1880 authenticated roll of citizens of the Cherokee Nation examined for James Fannie Warren and her mother, Willie C. J. Warren, and names not found.

1896 census roll of citizens of the Cherokee Nation examined for applicant, Joseph H. Warren, and name not found.

1896 roll examined for James Fannie Warren and child and identified as follows:

page 288 No. 53343 Fannie Warren, Cooweescoowee District, aged 18.

1896 census roll page 288 No. 5334, John H. Warren, Cooweescoowee District, aged three.

APPLICANT, JOSEPH H. WARREN, recalled and further examined, testified as follows:

BY COMMISSIONER:

Q Why does not your name appear upon the census roll of 1896?

A They didn't enroll me because I had my claim before the Dawes Commission as a citizen by blood.

Q You applied to the Dawes Commission in 1896 for enrollment as a citizen by blood of the Cherokee Nation did you? A Yes sir.

Q Under what head was your application made, who put in the application? A Under my mother's name, Nancy Pierce, was her name before she was married; she has been dead 21 or 2 years.

Q Do you know the title of the case as it was put in before the Commission? A My father's name, Dr. E. J. Warren, and my brother E. A. Warren, and another brother, Richard Warren, and sister Martha Warren, her name at that time was Collins.

Q You made no application before the Commission at that time for your wife and child? A No, I didn't have to make application for her, she was already a citizen.

Q What disposition was made of the case of yourself and your brother and father? A It was passed upon as a favorable claim.

Q Have you any record of that decision of the Commission? A No sir, Judge Denison never did return our papers.

Q Since your marriage to your wife James Fannie have you lived with her continuously up to this time? A Well I have been separated a few times, twice.

Q For how long were you separated? A I don't know exactly, was not more than four or five months.

Q When did your first separation take place? A Seven years ago, the oldest child was 3 months old.

Q And when did you separate the second time? A Last December.

Q For how long were you separated at that time? A I don't know, about 7 months I guess.

Q Are you living with this woman, James Fannie Warren as husband and wife now? A Yes sir.

Q For how long have you been living together this last time as husband and wife? A Just a short time.

Q Could you state how long? A About two weeks.

Q During these two separations have either of you ever contracted or attempted to contract marriage relations with any other person? A I have not.

Q Has your wife? A No sir.

Q Your wife has made her continuous residence in the Cherokee Nation all her life has she? A Yes sir.

Q These children of yours are living now and living with yourself and wife in Cooweescoowee District, Cherokee Nation? A Yes sir.

The applicant, Joseph H. Warren, his wife James F., and their two children will be listed for enrollment on a doubtful card.

I, E. D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

C-73

In the matter of the application for the enrollment of James Fannie Warren and her two minor children as citizens by blood of the Cherokee Nation.

--1--

D E C I S I O N.

The record herein shows that on June 16, 1902, Joseph H. Warren appeared before the Commission at Catoosa, Indian Territory, and made application for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, James Fannie Warren, and two minor children, John Henry and Willie Demoris Warren, as citizens by blood, of the Cherokee Nation. As the status of intermarried citizens is not at this time fixed, the rights of Joseph H. Warren to enrollment as a citizen of the Cherokee Nation by intermarriage, will not now be passed upon.

The evidence herein shows that the applicant, James Fannie Warren, is a Cherokee by blood, has continuously lived in the Cherokee Nation all her life, and is identified on the Cherokee census roll of 1896. The minor applicants, John Henry and Willie Demoris Warren, are children of the applicant, James Fannie Warren, and have continuously lived in the Cherokee Nation since birth. The said John Henry Warren is identified on the Cherokee census roll of 1896, and the said Willie Demoris Warren is identified by a birth affidavit, filed herewith and made a part of the record in this case.

It is, therefore, the opinion of this Commission that James Fannie Warren, John Henry Warren and Willie Demoris Warren, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Commissioner

Muskegee, Indian Territory,

FEB 24 1905


Commissioner

COPY.

Cherokee D-1275.

Muskogee, Indian Territory, February 24, 1908.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1908, granting the application for the enrollment of James Bannie, John Henry, and Willie Demoris Warren, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Encl. 1-60.

SIGNED: *Tame Kirby*
Chairman.

COPY.

Cherokee D-1375.

Muskogee, Indian Territory, March 16, 1905.

James Fannie Warren,

Catoosa, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of yourself and your minor children, John Henry and Willie Demoris Warren, as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-12.

SIGNED:

Tams Bixby
Chairman.

COPY.

Cherokee-10863.

Muskogee, Indian Territory, March 30, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted, for consideration and appropriate action, protest on behalf of the Cherokee Nation in the matter of the application for the enrollment of James Fannie Warren, et al. as citizens by blood of the Cherokee Nation.

You are advised that on February 24, 1905, the Commission rendered its decision granting the application for the enrollment of the said James Fannie Warren, et al. as citizens by blood of the Cherokee Nation, and advised the attorney for the Cherokee Nation that he would be given fifteen days from that date within which to file such protest as he might desire to make against the action of the Commission in enrolling said applicants. On March 16, 1905, no protest having been filed, these applicants were listed for enrollment upon straight cards and notified of the Commission's action.

Respectfully,

Incl. 8-3.

Through the

Commissioner of Indian Affairs.

USCN

Tams Dixby

Chairman.

COPY.

Cherokee-10863.

Muskogee, Indian Territory, March 31, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted, for consideration and appropriate action, protest filed with the Commission on March 21, 1905, on behalf of the Cherokee Nation in the matter of the application for the enrollment of James Fannie Warren, et al. as citizens by blood of the Cherokee Nation.

You are advised that on February 24, 1905, the Commission rendered its decision granting the application for the enrollment of the said James Fannie Warren, et al. as citizens by blood of the Cherokee Nation, and advised the attorney for the Cherokee Nation that he would be given fifteen days from that date within which to file such protest as he might desire to make against the action of the Commission in enrolling said applicants. On March 16, 1905, no protest having been filed, these applicants were listed for enrollment upon straight cards and notified of the Commission's action.

Respectfully,

Incl. 5-3.

Through the

Commissioner of Indian Affairs.

(SIGNED)

James Bixby
Chairman.

Land.
25418-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, April 29, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a communication from the Commission to the Five Civilized Tribes, dated March 31, 1905, transmitting the protest of the Cherokee Nation in the matter of the enrollment as citizens by blood of the Cherokee Nation by James Fannie Warren et al.

The Cherokee Nation protest against the decision of the Commission on the ground that the principal applicant is an illegitimate child of a white woman by an alleged Cherokee Indian born prior to the making of the 1880 Roll; that the testimony is flimsy upon which the Commission admitted the applicants. The Commission report that on February 24, 1905, it rendered its decision favorable to the applicants. The records of this office fail to show that the case has ever been forwarded by the Commission.

It is recommended that the Commission be instructed to transmit the record in this case.

Very respectfully,

H.M.M. (W)

C. F. Larrabee
Acting Commissioner.

J.W.H.

DEPARTMENT OF THE INTERIOR,

D.C. 24885-1905.
I.T.D. 4762-1905.

WASHINGTON.

PHS.
May 10, 1905.

LRS

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

The Department is in receipt of your communication of March 31, 1905, transmitting the protest of the Cherokee Nation in the matter of the enrollment as citizens by blood of the Cherokee Nation of James Fannie Warren et al. Your report shows that on February 24, 1905, you rendered your decision favorable to the applicants.

On April 29, 1905, the Indian Office reported in the matter and stated that its records fail to show that the case has ever been forwarded by you. A copy of its letter is inclosed.

You are requested to transmit the record in the case to the Department, in the usual manner.

Respectfully,

1 inclosure.

(Signed) Theo Ryan,
Acting Secretary.

COPY.

Cherokee 10043.

Muskogee, Indian Territory, May 17, 1906.

James Fannie Warren,
Catoosa, Indian Territory.

Dear Madam:

In accordance with instructions contained in departmental letter of May 10, 1905, the Commission's decision dated February 14, 1906, granting the application for the enrollment of yourself, et al., as citizens by blood of the Cherokee Nation, together with the record of proceedings had in the case, has this day been forwarded to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

For your information there is herewith inclosed a copy of departmental letter referred to.

Respectfully,

Incl. B-97.

(SIGNED)

James Bixby
Chairman.

COPY.

Cherokee 10863.

Muskogee, Indian Territory, May 17, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

Replying to departmental letter of April 29, 1905 (I.T.D. 4762-1905), there is herewith transmitted the record of proceedings had in the matter of the application for the enrollment of James Pannie Warren, et al., as citizens by blood of the Cherokee Nation, including the Commission's decision dated February 14, 1905, granting said application.

Respectfully,

Incl. 8-98

through the

CHIEF. *Tamie Bixby*
Chairman.

Commissioner of Indian Affairs.

Refer in reply
to the following:
Land.
36931-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

May 26, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 17, 1905, transmitting the record of the application for enrollment as citizens by blood of the Cherokee nation by James Fannie Warren for herself and her two minor children, John Henry and Willie Demons Warren.

February 24, 1905, the Commission decided favorably to the applicants.

The record shows that James Fannie Warren is a Cherokee by blood, has lived continuously in the Cherokee nation all her life and is identified on the 1896 Cherokee Census roll. The minor applicants are children of James Fannie Warren and have continuously lived in the Cherokee Nation since birth.

In view of the record the approval of the Commission's decision favorable to the applicants is recommended.

Very respectfully,

C. F. Larrabee

Acting Commissioner.

M.M.N.
W.

D. C. 28679-1905.
I.T.D. 6348-1905.
L.R.S.

Y.P.
FHE.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

June 5, 1905.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

May 17, 1905, you transmitted the record in the matter of the application for the enrollment of James Fannie Warren and her two minor children, John Henry and Willie Demons Warren, as citizens by blood of the Cherokee Nation, including your decision of February 14, 1905, granting said application.

Reporting May 26, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

(Signed) E. A. Hitchcock.

Secretary.

1 inclosure.

COPY.

Cherokee-10863.

Muskogee, Indian Territory, June 26, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated February 14, 1905, granting the application for the enrollment of James Fannie Warren, et al., as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 5, 1905.

Respectfully,

SIGNED

James Dixby

Chairman

COPY.

Cherokee-10863.

Muskogee, Indian Territory, June 24, 1905.

James Fannie Warren,

Catoosa, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision dated February 14, 1905, granting the application for the enrollment of yourself, et al., as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 5, 1905.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which you will be duly notified.

Respectfully,

SIGNED: *James D. Dixon*
Chairman.

Cher 10864

George W. Miller

Cher 10864

✓

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1829

✓

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Herein is the record in the matter of the application
for enrollment as citizens of the Cherokee Nation of:

GEORGE W. MILLER, ET AL.

CHEROKEE D-1433.

Special Agent in Charge, New York City

CONFIDENTIAL

Re New York City letter to Bureau dated 10/1/50, captioned as above.

Enclosed for the Bureau are two copies of a letterhead memorandum (LHM) dated and captioned as above, and two copies of a letter dated 10/1/50, captioned as above.

100-100000-100000

Enclosed for the New York City Office are two copies of a letterhead memorandum (LHM) dated and captioned as above, and two copies of a letter dated 10/1/50, captioned as above.

Enclosed for the New York City Office are two copies of a letterhead memorandum (LHM) dated and captioned as above, and two copies of a letter dated 10/1/50, captioned as above.

Enclosed for the New York City Office are two copies of a letterhead memorandum (LHM) dated and captioned as above, and two copies of a letter dated 10/1/50, captioned as above.

Approved: J. Edgar Hoover
Director of the Federal Bureau of Investigation

Char E. 1437.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1903.

In the matter of the application of JAMES BULLITT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

George W. Miller, on 1896 Roll, page, 50, #1364, Canadian Dist.,
also on 1880 Roll, page, 36, #992, Canadian District, as Geo. W. Miller.
Mattie Miller on 1896 Roll, page, 51, #203, Canadian District.
John W. Miller, on 1896 roll, page, 50, #1365, Canadian District.
Robert D. Miller, on 1896 Roll, page, 50, #1366, Canadian Dist.

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

E. C. Bagwell, an oath stating that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly received the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. C. Bagwell

Subscribed and sworn to before me this 16 day of July, 1903.

J. H. Reuter
Notary Public.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., August 28, 1902.

In the matter of the application for the enrollment of George W. Miller, and two children John W., and Robert D. Miller, as citizens by blood; and his wife Mattie Miller as a citizen by intermarriage, of the Cherokee Nation:

MATTIE MILLER, called as a witness, being duly sworn and examined by the Commission, testified as follows:

- Q What is your name ? A Mattie Miller.
Q How old are you ? A Twenty three.
Q What is your post office address ? A Texanna.
Q What district do you live in ? A Canadian District.
Q Who do you wish to have listed for enrollment ?
A What's on the roll.
Q Have you a husband ? A Yes sir.
Q What is his name ? A George W. Miller.
Q Why doesn't he apply for the enrollment of his family ?
A He can't. They have got a writ for him and he can't come here.
Q Is he out scouting ? A No sir, part of the time he is at home and part of the time he is gone.
Q I understand he doesn't apply then because there is a writ out for him, and he doesn't want to come in ?
A No sir, he don't want to come in.
Q How old is he ? A I don't know.
Q Do you think he would be about forty now ?
A Yes sir, somewhere along there.
Q Are you and he living together ? A Yes sir.
Q Is he a citizen by blood of the Cherokee Nation ? A Yes sir.
Q What degree of blood does he claim ? A I don't know.
Q Is he a full blood ? A No sir, he's not a full blood.
Q Is he half ? A Yes sir, he's half.
Q What was his father's name ? A John Miller.
Q Is his father living or dead ? A He's dead.
Q Was he a Cherokee by blood ? A No sir he wasn't a Cherokee.
Q What was your husband's mother's name ? A Mary Miller.
Q Is she living ? A Yes sir.
Q Is she a Cherokee by blood ? A Yes sir.
Q Are you a Cherokee by blood ? A No sir.
Q You claim your right by intermarriage do you ? A Yes sir.
Q What was your father's name ? A Bill Luke.
Q Is he living or dead ? A He's living.
Q What was your mother's name ? A Tennessee Luke.
Q Is she living ? A No sir.
Q Have you any children ? A I have got one.
Q What is the name of your child ? A Robert.
Q Any name besides Robert ? A Robert D., and John Miller is my step-son.
Q How old is Robert ? A He's eight years old.
Q What is John's full name ? A John William.
Q How old is he ? A He's twelve years old going on thirteen.
Q Are there any other members of your family ?
A No sir that's all the family I have got.
Q Was George Miller ever married before you married him ?
A Yes sir.
Q Was his first wife living or dead when you married him ?
A She was dead.
Q Had he been married more than once when you married him ?
A No sir.
Q Just the one time ? A Yes sir.

Q Had you ever been married before you married George Miller ?
A No sir.
Q Neither of you had ever married or lived with any one as husband or wife except your husband George Miller had been married one time before you married him ? A That's all.
Q How long has your husband lived in the Cherokee Nation ?
A All his life I guess.
Q How long have you and he been married ?
A We were married in 1894.
Q Has he been living in the Indian Territory continuously ever since you married him ? A Yes sir.
Q You and he have been living together continuously have you ?
A Yes sir.
Q Neither of you have ever lived outside the Cherokee Nation ?
A No sir.
Q You and your husband and these two children are living in the Cherokee Nation now are you ? A Yes sir.
Q Who is the mother of John William Miller ?
A Her name was Luke, Lizzie Luke.
Q Was she a white woman ? A Yes sir.
Q Is she dead now ? A Yes sir.
Q Was she your sister ? A Yes sir.
Q Were you present when George Miller and Lizzie Miller were married ? A No sir, I wasn't.
Q Do you know that they were married ?
A Yes sir, I know that they were married.
Q Have you got a certificate of marriage of George Miller and his first wife ? A No sir.
Q Have you got a certificate of your own marriage to George Miller ? A No sir.
Q Did George Miller and Lizzie Miller live together as husband and wife from the time they were married until his wife Lizzie died ?
A Yes sir.
Q They were always recognized as man and wife were they ?
A Yes sir.
Q Is the preacher or judge that performed the marriage ceremony living ? A No sir, I don't think he is.
Q Is there any one living who was present when they were married ?
A Yes sir, my father was.
Q Is the preacher who married you and George Miller living ?
A No sir, it wasn't no preacher, it was old Herman Vann.
Q Is any one living who was a witness to the ceremony ?
A Yes sir.
Q Who was that ? A Mr. Martin, Jim Sevier, and George Jennings is dead.
Q Was your father present at your marriage ? A No sir.
Q Are these two children, Robert D., and John William Miller living ? A Yes sir.
Q I believe you stated that you and your husband and these two children have lived in the Cherokee Nation for the last eighteen years ? A Yes sir.

--The 1880 authenticated roll of the Cherokee Nation, examined, and the applicant George W. Miller is identified thereon at page 36, # 992, Canadian District, as Geo. W. Miller, Native Cherokee, age 17.

--The 1896 census roll of citizens of the Cherokee Nation examined, and the applicant is identified thereon as follows:
George W. Miller, on page 50, # 1364, Canadian District, native Cherokee, 34 years of age; Mattie Miller on page 91, # 203, Canadian District, as an adopted white; John William Miller, on page 50, # 1365, Canadian District, as John W. Miller, native Cherokee, age six; Robert D. Miller, on page 50, # 1366, Canadian District, native Cherokee, age one.

The Commission: This testimony will be filed as supplemental to the application made for the enrollment of George W. Miller, et al Cherokee D 1433. The applicant will be required to supply the Commission with evidence of her marriage to George W. Miller, and also evidence of the marriage of George W. Miller to his first wife Lizzie Miller.

Witness examined by J. C. Starr:

- Q You say you were not present at the marriage of your husband to his first wife ? A No sir.
- Q Then how do you know they were married ? A Why of course my father was there.
- Q You gather your information from what people told you ? A Yes sir.
- Q You don't know of your own knowledge ? A I wasn't there to see it. I was at home.
- Q All you know about the marriage, then, is what people told you about it ? A What my mother and father told me.
- Q What was the date of your marriage to your present husband ? A Sir?
- Q When were you married to your present husband ? A Was married the 17th day of July.
- Q What year ? A 1894.
- Q Do you know the date of the death of your husband's first wife ? A No sir.
- Q Was it before you were married to him ? A Yes sir.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell

Subscribed and sworn to before me this September 4, 1902.

B. Jones
Notary Public.

621433

have to know Robert D. Miller, American District, etc.

has to know George A. Miller, Canadian District, etc.

and the following persons are known as follows:

180. George A. Miller, Canadian District, etc.

181. Geo. A. Miller, Canadian District, etc.

182. Geo. A. Miller, Canadian District, etc.

183. Geo. A. Miller, Canadian District, etc.

184. Geo. A. Miller, Canadian District, etc.

185. Geo. A. Miller, Canadian District, etc.

186. Geo. A. Miller, Canadian District, etc.

Filed Sept 13 1922

R.
Cher. D-1433.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 29, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of GEORGE MILLER and others as citizens of the Cherokee Nation.

SUSAN WOODS, being first duly sworn, and being examined, testified as follows:

BY COMMISSIONER: What is your name? A Susan Woods.

Q How old are you? A About forty-five.

Q What is your post office address? A Tahlequah.

Q Are you a recognized citizen by blood of the Cherokee Nation? A Yes sir.

Q Do you know George W. Miller? A Yes, I know him. He is a half brother of mine, but I don't know where he is at now. I don't know whether he ever enrolled or not.

Q Do you know whether he is living or not? A He was living about three weeks ago.

Q He is a man now about forty years of age? A He is along about forty.

Q Do you know what his post office address is? A No sir, I don't know what it is positively. I heard, though, that he was near a railroad station by the name of Stroud. I think it is a cross road running out through Oklahoma somewhere. That is the last place I heard from him.

Q Does he reside in Oklahoma? A No, he is just traveling around.

Q Is he in Oklahoma at present? A He was not when we heard from him, this side somewhere.

Q Stroud, that is in Oklahoma, isn't it? A I think it is between here and Oklahoma somewhere.

Q Is George W. Miller a Cherokee by blood? A Yes sir.

Q What degree of Cherokee blood has he?

A His mother is a quarter, and his father was a white man.

Q That would make him an eighth? A That's that it is.

Q Are you enrolled as a citizen of the Cherokee Nation? A Yes sir.

Q Did you and George W. Miller have the same father and mother?

A Had the same mother.

Q What is the name of the mother of George W. Miller?

A Mary Miller.

Q Is she living? A Yes sir.

Q She is a Cherokee by blood? A Yes sir.

Q In what district in the Cherokee Nation does she reside?

A Canadian District.

Q What is the name of the father of George W. Miller?

A John Miller.

Q Is he living? A No sir.

Q You say he was a white man? A Yes sir.

Q Is George W. Miller married? A Yes sir.

Q What is the name of his wife? A She was Mattie Duke. I don't know whether she is a citizen or not. They claimed it, but I don't know whether they proved it or not.

Q She is a white woman? A I suppose she was.

Q What is the name of her father? A William Duke. They always called him Will.

Q Is William Duke living? A Yes sir, he was about three weeks ago.

Q He is a non-citizen? A Yes sir.

Q What is the name of the mother of Mattie Miller?

A I don't know what her name was.

Q Do you know whether or not she is living? A No, she is not living, but I don't know what her name was.

Q She was a non-citizen? A Yes sir.

Q Have George W. and Mattie Miller some children?

A They have two. Had two when we heard from them last.

Q What are their names? A John Tiger is the oldest one's name. The youngest one, they call him Bobby. I don't know whether that is his English name or not.

Q The names are on the 1896 roll as John W. and Robert D. Do you think that is correct? A Yes sir, they always call the baby Bobby.

Q Is John W. About twelve years old? A Yes sir.

Q Robert D. about seven years old? A Yes sir.

Q Where was George W. Miller born? A He was born in the Chickasaw Nation during the war.

Q How long after the war was it until he came to the Cherokee Nation?

A It was about three years, as well as I can recollect, after the war when he came back.

Q That was along about 1868? A Yes sir.

Q Then how long did he reside in the Cherokee Nation after coming here in 1868? A He has been here always until about a year ago this August he left home down there. He had never enrolled when he left there. The last time I heard from him he had not enrolled, and I thought I would see about it, and see whether he never had.

Q In what district in the Cherokee Nation does he make his home?

A Canadian.

Q Has he any improvements in the Cherokee Nation?

A He has got a place down there.

Q Where is that place? A It is near Texanna.

Q Do you know whether he has sold that place or not?

A No, I don't. I don't know whether he sold the place or not.

Q Then you don't know whether he has any improvements in the Cherokee Nation or not? A No, I am not positive that he has.

Q When was it he left Canadian District? A About a year ago, along the last of August, this August was a year ago.

Q Then where did he go? A I don't know where he went to from there. I think he went out west of Wagoner, then travelled back towards Oklahoma that way.

Q Was he ever out of the Cherokee Nation for any purpose until he left this last August was a year ago? A No sir, never was out of the Cherokee Nation until this August was a year ago for any purpose unless it was to visit and back.

Q Do you know whether or not he drew Cherokee Strip money in 1894?

A Yes sir, he drew his money all right.

Q Do you know whether he drew for these children or not.

A Yes sir, he drew for one of them that I know of.

Q Were George W. Miller and Mattie Miller married?

A I guess they were, I could not swear to that, because I didn't live down there. I have not seen him in four or five years. I suppose they were.

Q So far as you know, have they been recognized as husband and wife?

A Yes sir.

Q Is George W. Miller the father and Mattie Miller the mother of these two children? A No, the oldest one's mother is dead. She was a sister to Mattie Miller, to the one he has got now. His first wife died, then he married this sister. The youngest child is her child.

Q What is the name of George W. Miller's first wife? A Lizzie.

Q Do you know anything about the marriage of George W. Miller to his first wife, Lizzie Miller? A No sir, but I suppose they were married.

Q Was George W. Miller ever married before he married Lizzie Miller?

A No sir.

Q Was Mattie Miller ever married before she married George W. Miller?

A No sir.

Q Is Mattie Miller a young woman now about twenty-three years of age?

A Yes sir, about that age, I guess.

Q Do you have any correspondence with George W. Miller?
 A No sir, I don't have any, because I don't know where he is at. I was down home about three weeks ago, and I heard of him coming back there, but he didn't stay long.
 Q When you speak of down home you mean in Canadian District?
 A Yes sir, that is where I was raised, but since I have married I live here in Tahlequah District.
 Q You say when he was there he didn't stay long, when was he there?
 A I guess it was about the 8th of August when he was there.
 Q This last August, or August was a year ago?
 A This last August. We went down there on the 3rd, and it was about the 5th, because he was down there. I heard of him being down there, but didn't get to see him.
 Q Has George W. Miller got his family with him wherever he is?
 A Yes sir, he had his family with him when he was back home, but he didn't stay long.
 Q Is George W. Miller a citizen of any other Nation in the Indian Territory? A No sir, not that I know of.
 Q Has he any other Indian blood but Cherokee blood? A No sir.
 Q He is of sound mind, is he? A Yes sir.

1880 authenticated roll of citizens of the Cherokee Nation examined, and applicants identified thereon as follows:

Page 36, #992, Geo. W. Miller, Canadian District, age 17.

1896 census roll of citizens of the Cherokee Nation examined, and applicants identified thereon as follows:

Page 60, #1364, George W. Miller, Canadian District, age 34.

Page 91, #203, Mattie Miller, Canadian District, adopted white, age 17.

Page 50, #1365, John W. Miller, Canadian District, age 6.

Page 50, #1366, Robert D. Miller, Canadian District, age 1.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 10th day of September, 1902.

John P. Reason
 Notary Public

Cherokee D-1433.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

R. 713.

In the matter of the application for the enrollment of George W. Miller, et al., as citizens by blood of the Cherokee Nation.

DECISION.

The record herein shows that on June 30, 1902, Emmet Starr appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of George W. Miller, Mattie Miller, John W. Miller and Robert D. Miller, as citizens of the Cherokee Nation. Further proceedings in the matter of said application were had at Tanlequan, Indian Territory, on August 28, and at Muskogee, Indian Territory, on August 29, 1902, in which it developed that the said Mattie Miller possesses no rights to enrollment as a Cherokee citizen except by intermarriage, and as the status of intermarried citizens is not at this time fixed, her rights to enrollment will not now be passed upon.

The evidence herein shows that the applicant, George W. Miller, is a Cherokee by blood, has continuously lived in the Cherokee Nation all his life, and is identified on the Cherokee authenticated tribal roll of 1880, and the Cherokee census roll of 1896. The minor applicants, John W. and Robert D. Miller, are children of the applicant, George W. Miller, have continuously lived in the Cherokee Nation since birth, and are duly identified on the Cherokee census roll of 1896.

It is, therefore, the opinion of this Commission that V George W. Miller, John W. Miller and Robert D. Miller, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 2, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



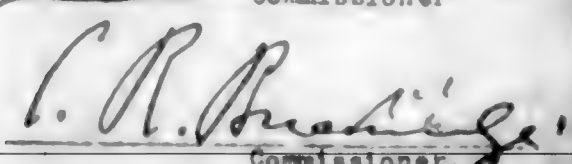
Chairman



Commissioner

Muskogee, Indian Territory.

FEB 24 1905



Commissioner.

COPY

Cherokee D-1433.

Muskogee, Indian Territory, February 24, 1906.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1906, granting the application for the enrollment of George W. Miller, and his minor children, John W. and Robert D. Miller, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

SIGNED: *Tame Dixie*

Encl. 1-58.



Cher 10865

Virginia S. DeLozier

Cher 10865

1889

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IN THE COURT OF THE DISTRICT OF COLUMBIA
IN THE MATTER OF THE ESTATE OF
I. I. I. I. I.
DEC 5 1900
[Signature]
[Signature]

IN THE COURT OF THE DISTRICT OF COLUMBIA
IN THE MATTER OF THE ESTATE OF
I. I. I. I. I.
DEC 5 1900
[Signature]
[Signature]

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TULSA, I. T., DECEMBER 5th, 1900.

IN THE MATTER OF THE APPLICATION OF Virginia S. DeLongier for enrollment as a citizen of the Cherokee Nation, and she being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

- Q Give me your full name please? A Virginia S. DeLongier.
Q How old are you? A Twenty two.
Q What is your Postoffice? A Chelsea.
Q In what district do you live; Coowasee? A Yes sir.
Q Who is it you want to have enrolled; just yourself? A Yes sir.
Q Are you a Cherokee by blood? A By blood.
Q How long have you lived in the Cherokee Nation? A I have lived here two years: I came and then left and then came back.
Q When did you first come? A In 1893.
Q When did you come in 1893: What part of 1893?
A It was in May.
Q In what part of 1893 did you leave? A I never left in 1893.
Q When did you leave? A In 1895.
Q Then when did you come back again? A In 1899.
Q Have you lived here ever since you came in 1899? A Yes sir.
Q Are you on any of the rolls of the Cherokee Nation?
A Yes sir, I am on the 1894 Roll.
Q Did you draw Cherokee Strip Money? A Yes sir.
Q Give me the name of your father? A Benjamin A. F. Palmour.
Q Is he living? A Yes sir.
Q Give me the name of your mother? A Julia A.
Q She is living is she? A No sir, dead.
Q Are you married? A Yes sir.
Q When did you marry? A 1900
Q In this year? A Yes sir.
Q Whom did you marry? A Joseph Wallace DeLongier.
Q Have you a certificate of your marriage? A Yes sir/

By Com'r C. R. Breckinridge: The applicant presents a license issued by the Clerk of the United States Court, Northern District, Indian Territory, authorizing the marriage to her husband, as stated by her, and the certificate shows that they were united in marriage in accordance with the said license on the 21st day of January of the present year. The license is dated the 20th of the same month. This is filed herewith.

(1894 Roll, Page 274, #3387, Virginia Palmour, Co. D 1st dist)

- Q What time in the year 1899, did you come to the Cherokee Nation?
A April the first.
Q And you have remained here ever since, have you? A Yes sir.
Q You were then twenty one years of age? A No sir, only twenty.
Q When were you twenty two years of age? A The 8th day of last April.

By Com'r C. R. Breckinridge: An official copy of the records of the Cherokee Commission on citizenship, on file in the case of Benjamin A. F. Palmour, shows that on the 22nd day of September, 1887, the applicant was admitted to citizenship by the Cherokee Commission on Citizenship, she being at that time nine years of age. This is recognized as official evidence of her admission as stated, and the document is returned to the file of her father's case.

The applicant is identified on the roll of 1894: She is shown by the records cited in the testimony to have been admitted to Cherokee citizenship by the Cherokee Commission on Citizenship, in

1897: Under that admission she came to the Cherokee Nation in 1898 and lived until during the year 1898, when she returned to the State of Georgia: She states that she returned to the Cherokee Nation on the first of April, 1899, she being still a minor, not reaching the age of twenty one until the eighth day of April of the same year, and she states that she has lived in the Cherokee Nation ever since she came in 1898; Her change of name is established by the marriage license and certificate filed herewith: For the further consideration of the rights of the applicant, in view of her being ~~minor~~ a minor during the time of her absence from the Cherokee Nation, her name will be placed now upon a doubtful card, she being classed as a Cherokee by blood, and the final decision of the Commission will be made known to her at her Postoffice address: In this connection, attention is also called to the testimony just taken in the application of her father, Benjamin A. F. Palmer.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 5th day of December, 1900.

R. R. Craven
[Signature]

NOTARIAL PUBLIC

EX-14
REPORT OF THE
COMMISSION ON THE CIVIL TRIBES

FILED
DEC 5 1900

 ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC - 5 1900 1900.

Name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Dist.

Year

Page

No.

Age

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

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ACTING CHAIRMAN

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FEB 20 1902
U.S. DEPT. OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
WASHINGTON, D.C.

R

C. D-889

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., March 10, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of
Virginia S. DeLozier for the enrollment of herself as a Cherokee
citizen.

Appearances:

J.B. Sequichie, Chelsea, I.T., agent for applicant;
W.W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter
February 20, 1902, that her application for enrollment as a
citizen of the Cherokee Nation would be taken up for final
consideration by the Commission at its offices in Muskogee,
Indian Territory, on the 12th day of March, 1902. Receipt has
been acknowledged of the Commission's letter and the applicant
this day to-wit: the 10th day of March, 1902, appears in person
and by her agent, J.B. Sequichie, and by agreement with the
representative of the Cherokee Nation present the case is taken
up for final consideration.

The agent for the applicant and the representative of
the Cherokee Nation present submit the case; same is considered
completed and will be reported to the Commission for final
decision based upon the evidence now of record.

I, M.D. Green, do hereby certify that as stenographer to the Commission
to the Five Civilized Tribes I correctly recorded the proceedings in
this case and that the foregoing is a true and complete transcript of
my stenographic notes thereof.

M.D. Green

(COPY)

Benjamin F. Palmour,
Office Commission on Citizenship.

Tahlequah, C. N. Oct. 1st, 1887.

Docket No.	Names	Age	Sex	Post Office Attorney
1	Benjamin F. Palmour,	38	male	Weir Ga
2	Evaline Palmour	16	fe male	
3	Amy Palmour	13	"	
4	Henry Palmour	11	male	
5	Virginia S. Palmour,	9	female	
617 6	John D. Palmour Jr.	5	male	
7	Bessie Palmour	3	Female	A. E. Ivy
8	Robert Palmour,	2	male	

VS.

Applicant for
Cherokee citizenship
Census Rolls 1851A 2
Ancestor
John D. Palmour

Cherokee Nation

Now on this the 22 day of Sept. Comes the above case for a final hearing and the parties having made application pursuant to the provision of an act of the National Council approved Dec 8 1886 and all the evidence being duly examined and found to be sufficient & satisfactory to the Commission and the name of the ancestor, John D. Palmour, appearing on the rolls of 1851A2 it is adjudged and determined by the Commission that Benjamin F. Palmour, Evaline Palmour, Amy Palmour, Henry Palmour, Virginia S. Palmour, John D. Palmour, Jr., Bessie Palmour, Robert Palmour are cherokees by blood, and a hearing, readmitted to all the rights, privileges and immunities of Cherokees by blood and a certificate of said decision of the Commission and readmission was made and furnished to said parties accordingly.

J. T. Adair, Chairman Com.
John E. Gunter, Commissioner.

C. C. Lipe,
Clerk Commission.

Executive Office, Cherokee nation,
Tahlequah, I.T.

I, B. W. Alberty, assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of the Commission on Citizenship of the Cherokee Nation; that said record has been filed in this office by law and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 21st day of November 1900.

(Signed) B. W. Alberty
Assistant Executive Secretary, Cherokee Nation

I, M. D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes that I copied the foregoing and that same is a true and complete copy of the original on file in Cherokee case No. B-222

(Signed) M. D. Green

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Virginia S. De Losier for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 5, 1900, Virginia S. DeLosier appeared before the Commission at Tahlequah, Indian Territory, and made application for her enrollment as a citizen by blood of the Cherokee Nation.

The evidence shows that the said Virginia S. De Losier is the daughter of one Benjamin A. F. Palmour, who was admitted to citizenship in the Cherokee Nation on September 22, 1887. The applicant was then nine years old. She is identified on the Cherokee Strip payment roll of 1894.

The evidence shows that said Virginia S. DeLosier came to the Cherokee Nation in 1893, removed from said Nation in 1895, and did not return until April 1899.

Paragraph 9, Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495) provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship."

It is, therefore, the opinion of this Commission that the application for the enrollment of Virginia S. DeLosier, as a citizen by blood of the Cherokee Nation should be denied, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

Tame Little

Acting Chairman.

[Signature]
Commissioner

[Signature]
Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 20 1902

COPY.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,)
 Indian Territory,) ss.
 Northern District.)

No. 12.

To any Person authorized by Law to solemnize marriage, Greeting:

You are hereby commanded to Solemnize the Rite and publish the Banns of matrimony between Mr. Wallace Delozier, of Adair, in the Indian Territory, aged 20 years, and Miss Virginia A. S. Palmour, of Chelsea, in the Indian Territory, aged 22 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Vinita, Indian Territory, this 20th day of Jan., A. D. 1900.
 (SEAL)

By T. A. Chandler, Deputy.

Charles A. Davidson,
 Clerk of U. S. Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,)
 Indian Territory,) ss.
 Northern District.)

I, J. M. Russell, a Minister of the Gospel, DO HEREBY CERTIFY, that on the 21 day of Jan., A. D. 1900, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 21 day of Jan., A. D. 1900.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book B, Page 13.

J. M. Russell,

A Minister of the Gospel.

NOTE: This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued, within thirty days from the date thereof, or the party to whom the license was issued will be liable in the amount of one hundred dollars (\$100.00)

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., November 22, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.


Chief Clerk Cherokee Division.

Subscribed and sworn to before me this 22d day of November, 1902.


Notary Public.

FILED
JUL 1 1904
COMMISSION TO FIVE TRIBES

1. The first part of the document is a letter from the President of the United States to the President of the Republic of China, dated January 1, 1942. The letter expresses the President's appreciation for the Republic of China's contribution to the war against Japan and its commitment to the principles of democracy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JUNE 17, 1904.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of Virginia S. De Lesier as a citizen by blood of the Cherokee Nation.

It appears that on the 19th day of May, 1904, the applicant and the attorney for the Cherokee Nation were each notified by letter that an opportunity would be given them to appear before the Commission at its offices in Muskogee, Indian Territory, on June 17, 1904, and introduce such testimony as they might desire touching the points mentioned in said letter.

APPEARANCES:

Applicant appears in person.

Cherokee Nation by its attorneys, W. W. Hastings and L. B. Bell.

VIRGINIA S. De Lesier, being first duly sworn, testified as follows:

By the Commission:

Q What is your name? A Virginia S. De Lesier.

Q How old are you? A 26.

Q What is your postoffice address? A Chelsea, Indian Territory.

Q You are the applicant in this case, who has applied for enrollment as a citizen by blood of the Cherokee Nation? A Yes, sir.

Q Where do you live now? A Chelsea, Indian Territory.

Q How long have you lived there? A Five years.

Q Have you been there continuously for five years? A Yes, sir.

Q Do you own any property there? A Nothing only my household goods.

Q You don't own a place, nor a house? A No, sir.

Q You are renting your residence, are you? A Yes, sir.

Q How long had it been prior to this five years ago that you came to Chelsea before you lived in the Cherokee Nation? A I lived here once before this time.

Q Once before the five years ago when you came? A Yes, sir, I lived here in '93--'94, when the Cherokee payment was.

Q Where were you born? A In Georgia.

Q When did you first come to the Cherokee Nation after you were admitted to citizenship? A I don't know whether I can answer you correctly; I came a year before the payment.

Q Before the 1890 payment? A Yes, sir.

Q You are the daughter of Benjamin A. F. Palmer who was admitted to citizenship? A Yes, sir.

Q And you were a minor at that time? A Yes, sir.

Commission: The record shows that the applicant was admitted on the 27th of September, 1887, with her father, she being nine years of age at that time.

Q When you came to the Cherokee Nation in '93, how long did you remain here? A Two years, I believe, I am not sure.

Q Did you come here with your parents? A Yes, sir.

Q Then where did you go? A Back to Georgia.
Q How long did you stay in Georgia that time? A Four years, till I was of age.
Q Then did you return at the end of the four years to the Cherokee Nation? A Yes, sir.
Q What year did you come back? A '98---'99X.
Q How old were you then? A 20 years old.
Q How long did you remain in the Cherokee Nation when you returned that time? A Up till now.
Q You haven't been out of the Nation since that? A No, sir.
Q Have you lived all that time at Chelsea? A Yes, sir.
Q Where were you married? A At Adair.

By Mr. Hastings:

Q When were you married, in what year? A '90--
Q You mean 1900? A Yes, sir.
Q Was it four years ago? A Yes, sir.
Q You come here in '93 and stayed until after the Cherokee strip payment and went back to Georgia? A Yes, sir.
Q And returned here in 1899 the last time? A Yes, sir.

CHARLES F. PALMOUR, being first duly sworn, testified as follows:

By the Commission:

Q What is your name? A Charles F. Palmour.
Q How old are you? A 43,44.
Q Your name is Charles A. F.? A Charles F., no, sir.
Q What is your postoffice address? A Chelsea, Indian Territory.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know the applicant in this case, Virginia S. De Losier?
A Yes, sir.
Q What relation is she to you, if any? A Niece.
Q Her father was your brother? A Yes, sir.
Q Do you know when the applicant first removed to the Cherokee Nation? A '98, '92 or '3, I forget.
Q Who did she come with? A Her father.
Q How long did she remain? A Till '94, I believe, December '94 or '5, I would not be certain about that.
Q Then did she and her father leave the Nation in 1894 or '5?
A Yes, sir.
Q Where did they go? A To Georgia.
Q When did the applicant return to the Cherokee Nation the next time? A 1899, April.
Q How old was she then? A I don't believe I can tell; 20, I believe.
Q To what point in the Cherokee Nation did she return? A Chelsea.
Q Was she married at that time? A No, sir.
Q How long did she live in the Cherokee Nation after this second return? A Ever since April 1, 1899. Five years.
Q Has she been here from 1899 to the present time? A Yes, sir.
Q Continuously? A Yes, sir.
Q With whom did she live when she first returned in 1899? A Part of the time at my house and part of the time at her sister's, there by us; either of us.
Q Where was she married? A In the Cherokee Nation there about Chelsea.

Q Does she own any property that you know of about Chelsea? A Nothing that I know of now except her team and household goods.
Q She has never been out of the Nation since she came back here in 1899? A Not that I know of; not to live, at least.

(No cross-examination).

DAVID S. PALMOUR, being first duly sworn, testified as follows:

By the Commission:

Q What is your name? A David S. Palmour.
Q How old are you? A 49 years old.
Q What is your postoffice address? A Chelsea, Indian Territory.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know the applicant in this case, Virginia S. De Lozier?
A Yes, sir.
Q What relation is she to you, if any? A Niece.
Q Her father was your brother? A Yes, sir.
Q Do you know when the applicant first removed to the Cherokee Nation? A Yes, sir.
Q State when? A June, 1893.
Q Who did she come here with at that time? A With her father and his family.
Q How long did the family remain here when they came in 1893?
A From the time they came till December, 1894.
Q Then where did they go? A To Georgia.
Q Then do you know when the applicant returned the second time to the Cherokee nation? A Yes, sir.
Q When? A In 1899, April 1st, or about April 1st.
Q To what point in the Nation did they come? A Chelsea.
Q She was about how old at that time? A About 20, I think.
Q Did she return by herself? A Yes, sir.
Q With whom did she live at Chelsea? A She didn't live at Chelsea; that is where she landed. She lived with her sister; stayed there a while.
Q Has she lived in the Cherokee nation ever since she came here in 1899? A Yes, sir.
Q Never has been out since then to live? A No, sir, not to live.
Q Where was she married? A I can't answer that.
Q Was she married in the Cherokee Nation? A Yes, sir.

(No cross-examination)

BENJAMIN A. P. PALMOUR, being first duly sworn, testified as follows:

By the Commission:

Q What is your name? A Benjamin A. P. Palmour.
Q How old ~~xxxxx~~ are you? A I was born in '49, make me 54, I reckon.
Q What is your postoffice address? A Chelsea, Indian Territory.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know the applicant in this case, Virginia S. De Lozier?
A Yes, sir.
Q What relation is she to you, if any? A She is my daughter.
Q The record in this case shows that you and she were admitted to citizenship in the Cherokee Nation on the 27th of September, 1897, when did she first come to the Cherokee Nation after that ~~xxxxx~~ admission? A In '93.
Q How long did she remain here at that time? A Till right about the first of 1895.

+

Q Then where did she go? A Back to Georgia.
 Q She was living with you all this time? A Yes, sir.
 Q When did she again return to the Cherokee Nation? A She started sometime; she started off in the Spring of '99 and got sick on the road and had pneumonia fever, and I can't tell just when she got here; sometime in the Spring of '99, as well as I remember.
 Q Do you know whether or not she came to the Cherokee Nation that year? A Of course, I don't know whether she came in that date or not; I was not here; no more than getting the news; that would be --
 Q When did you next see the applicant? A In 1900.
 Q Where was she then? A At Chelsea.
 Q Was she living there? A Yes, sir.
 Q Since 1900, do you know where she has lived? A At Chelsea.
 Q All the time in the Cherokee Nation? A Yes, sir.

o-o-o-o-o-o-o-o

H. M. Vance, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 1st day of July, 1904.

Charles H. Sawyer

Notary Public.

Cherokee B-729. *R.B.*

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Virginia S. DeLozier as a citizen by blood of the Cherokee Nation.

-:-

DECISION.

The record herein shows that on December 5, 1900, Virginia S. DeLozier appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of herself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, March 10, 1902.

The record further shows that on November 20, 1902, this Commission rendered its decision herein denying said applicant the right to enrollment as a citizen by blood of the Cherokee Nation, and that said decision was duly affirmed by the Department. Thereafter, (Departmental letter of April 4, 1904, I.T.D. 7162-03), upon request of the Commission, this case was remanded for readjudication in accordance with present rulings, and on June 17, 1904, further proceedings in the matter of said application were had at Muskogee, Indian Territory.

The evidence herein shows that the applicant, Virginia S. DeLozier, is a Cherokee by blood; that on September 22, 1882, by the properly constituted authorities, she, together with other members of her family, was "admitted to all the rights, privileges and immunities of Cherokees by blood"; that in the year 1893, said applicant, with her father, removed to the Cherokee Nation from Georgia, remained about two years and then returned to Georgia, where she continued to reside until the year 1899, when, at the age of twenty, she returned to the Cherokee Nation, and has since continuously lived therein. Said applicant is duly identified on the Cherokee Strip Payment roll of 1904.

Benjamin F. Palmour, father of the applicant herein, whose status as a Cherokee citizen was similar to that of his daughter, is included in a partial roll of citizens by blood of

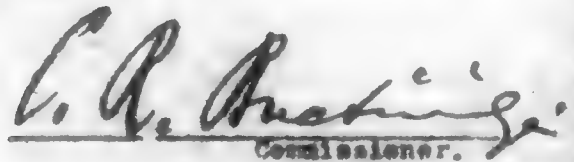
the Cherokee Nation, duly approved by the Secretary of the Interior, June 11, 1904, at number 30684.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Ora M. Camp, et al., (I.T.D. 1418-03), Virginia S. DeLozier should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 26, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman


Commissioner


Commissioner.

Dated at Muskogee, Indian Territory,
this FEB 24 1905

11 009

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

FEB 3 1900

MISSISSIPPI
TERRY L. JAMES
AM. BIRD
THOMAS H. HARRIS
N. B. HARRIS

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 20, 1902.

Mrs. Virginia S. DeLesier,
Chelsea, Indian Territory,

Madam :-

You are hereby notified that the application of **yourself**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on **the 12 day of March, 1902.**

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-889
Register.

Yours truly,

~~Acting Chairman~~

Commissioner in Charge.

Cherokee D-369

Muskogee, Indian Territory, October 7, 1902.

Virginia S. Delozier,

Chelsea, Indian Territory.

Dear Madam:-

The Commission is in receipt of birth affidavit in the matter of the application for enrollment, as a citizen of the Cherokee Nation, of Joseph Wade Delozier, infant child of yourself and Wallace Delozier.

The same is in due form and has been filed.

Respectfully,

Acting Chairman.

Muskogee, Indian Territory, November 3, 1902.

Virginia S. Delozier,

Chelsea, Indian Territory.

Dear Madam:-

The birth affidavit heretofore filed with the Commission, in the matter of the application for the enrollment, as a citizen of the Cherokee Nation, of Joseph Wade Delozier, infant child of yourself and Wallace Delozier, shows that this child was born September 13, 1902.

You are advised that, under the provisions of the Cherokee Agreement proclaimed August 12, 1902, the Commission is without authority to receive the application for the enrollment of this child. Sections 25 and 30 of said Agreement provide as follows:

"Sec.25. The roll of citizens of the Cherokee Nation shall be made as of September first, nineteen hundred and two, and the names of all persons then living and entitled to enrollment on that date shall be placed on said roll by the Commission to the Five Civilized Tribes.

.....
"Sec.30. During the months of September and October, in the year nineteen hundred and two, the Commission to the Five Civilized Tribes may receive applications for enrollment of such infant children as may have been born to recognized and enrolled citizens of the Cherokee Nation on or before the first day of September, nineteen hundred and two, but the application of no person whomsoever for enrollment shall be received after the thirty-first day of October, nineteen hundred and two."

Respectfully,

Acting Chairman.

Cherokee D-889.

Muskogee, Indian Territory, November 24, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Virginia S. De Lozier for the enrollment of herself as a citizen by blood of the Cherokee Nation, including the Commission's decision, dated November 20, 1902, rejecting said application.

Respectfully,

Acting Chairman.

Through the Commissioner
of Indian Affairs.

Enc. H-120.

Cherokee D-889.

Muskogee, Indian Territory, November 24, 1902.

Virginia S. De Lozier,

Chelsea, Indian Territory.

Dear madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 20, 1902, rejecting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

There has this day been forwarded to your Agent, J. R. Sequichie, Chelsea, Indian Territory, a copy of the record of proceedings, together with a copy of the Commission's decision.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Enc. H-117.
Register.

Cherokee D-889.

Muskogee, Indian Territory, November 24, 1902.

J. R. Sequichie,

Agent for Virginia S. De Lozier,
Chelsea, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the record of proceedings had in the matter of the application of Virginia S. De Lozier for the enrollment of herself as a citizen by blood of the Cherokee Nation, together with a copy of the Commission's decision rejecting said application.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Enc. H-118.
Register.

Cherokee D-889.

Muskogee, Indian Territory, November 24, 1902.

W. W. Hastings,

Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 20, 1902, rejecting the application of Virginia S. De Lozier for the enrollment of herself as a citizen by blood of the Cherokee Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Enc. H-119.

(Copy)

Refer in reply
to the following:
Land
70811--1902.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Dec. 24, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes dated November 24, 1902, forwarding the record relative to the application of Virginia S. De Lozier for enrollment as a citizen by blood of the Cherokee Nation.

November 20, 1902, the Commission rejected the application.

The record in this case shows that the applicant is the daughter of Benjamin A.F. Palmer, who was admitted to citizenship in the Cherokee Nation September 22, 1887. The applicant was nine years old at the time her father was admitted to citizenship. Her name appears on the Cherokee Strip payment roll of 1897. The evidence further shows that the applicant went to the Cherokee Nation in 1893; that she removed therefrom in 1895 and did not return until April 1899. She has resided in the Cherokee Nation since her return in April 1899.

As the applicant did not reside in the Cherokee Nation on June 28, 1898, and as it does not appear from the record in the case that she had at that time any property in the nation, she is not entitled to enrollment, and it is recommended that the Commission's decision be approved.

Very respectfully,

W. A. Jones,
Commissioner.

G.A.W. (S)

D.C. No.1901

DEPARTMENT OF THE INTERIOR,

J.P.

FHE

WASHINGTON.

I.T.D. 8074-1902.

January 17, 1903.

LRS

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of Virginia S. DeLozier (D 889), for enrollment as a citizen of the Cherokee Nation, transmitted with your letter of November 24, 1902, and the Commissioner of Indian Affairs letter of December 24, 1902.

When the testimony in the case was taken December 5, 1900, Commissioner Breckinridge stated that

"An official copy of the records of the Creek Commission on Citizenship, on file in the case of Benjamin A.F. Palmour, shows that on the 22nd day of September, 1887, the applicant was admitted to citizenship by the Cherokee Commission on Citizenship, she being at that time 9 years of age."

The claimant's name is found upon the Cherokee strip payment roll of 1894. It appears that she first came to the Cherokee Nation in 1893, removed from the Nation and Indian Territory in 1895, and did not return until April 1st, 1899, at which time she was not quite 21 years of age.

Referring to paragraph 9 of section 21 of the act of June 28, 1898 (30 Stat., 495), which provides that

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship,"

you rejected the application November 20, 1902. You did not state that the applicant was admitted to citizenship in 1887, but that she

"Is the daughter of one Benjamin A.F. Palmour, who was admitted to citizenship in the Cherokee Nation on September 22, 1887."

The Commissioner of Indian Affairs recommends that your decision be concurred in. Finding no reason to disturb your decision, it is hereby affirmed. A copy of the Commissioner's letter is enclosed.

Respectfully,

(signed) Thos Ryan
Acting Secretary.

1 inclosure.

Cherokee D-889

Muskogee, Indian Territory, January 29, 1903.

Virginia S. DeLozier,

Chelsea, Indian Territory.

Dear Madam:-

You are hereby advised that the Commission's decision, dated November 20, 1902, rejecting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior January 17, 1903.

Respectfully,

Tamo Birby.
Acting Chairman.

COPI

Cherokee D-889

Muskogee, Indian Territory, January 29, 1903.

J. R. Sequichie,

Agent for Virginia S. DeLozier,
Chelsea, Indian Territory.

Dear Sir:-

You are hereby advised that the Commission's decision, dated November 20, 1902, rejecting the application of Virginia S. DeLozier for the enrollment of herself as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior January 17, 1903.

Respectfully,

Tams Dixey.
Acting Chairman.

COPY.

Cherokee D-889

Muskogee, Indian Territory, January 29, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:-

You are hereby advised that the Commission's decision, dated November 20, 1902, rejecting the application of Virginia S. DeLozier for enrollment as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior January 17, 1903.

Respectfully,

Tamie Dixie
Acting Chairman.

Cherokee R-799

Muskogee, Indian Territory, February 6, 1903.

Virginia S. De Losier,
Chelsea, Indian Territory.

Dear Madam:

The marriage license and certificate showing your marriage on January 21, 1900, to Wallace De Losier, heretofore filed with your application for enrollment as a citizen of the Cherokee Nation, is returned to you herewith, a copy having been made and filed with that application.

Respectfully,

Acting Chairman.

Encl-S-103

GRS

C O P Y.

WCF

DEPARTMENT OF THE INTERIOR, FILE
Washington, April 4, 1904.

I.T.D. 8074-1902.
7162-1903.

LRS.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

January 17, 1903, the Department affirmed your decision rejecting the application for the enrollment of Virginia S. DeLozier as a citizen of the Cherokee Nation.

On September 21, 1903, you requested that the case be remanded, in order that it might be readjudicated by you in accordance with the opinion of the Assistant Attorney General of March 16, 1903, in the Yeargain case. In your suggestion the Indian Office concurred, in letter of October 7, 1903.

The Department considers it proper to remand this case, in order that further testimony may be taken, upon the request of the applicant or the Cherokee Nation, and for readjudication in accordance with present rulings. The decision of January 17, 1903, is therefore rescinded and the testimony and papers attached thereto are inclosed.

Respectfully,

Thos. Ryan,
Acting Secretary.

1 inclosure.

Cherokee R-799

Tahlequah, Indian Territory, April 16, 1904.

Virginia S. De Losier,

Chelsea, Indian Territory.

Dear Madam:

On April 4, 1904, the action of the Secretary of the Interior of January 17, 1903, approving the Commission's decision denying your application for enrollment as a citizen of the Cherokee Nation, was rescinded and your case was remanded for further testimony and readjudication.

You are, therefore, hereby notified that any further testimony you may have tending to establish your right to enrollment can be introduced at the Cherokee Land Office of this Commission at Tahlequah, Indian Territory, on or before May 16, 1904.

Evidence is particularly required as to your residence.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

MY

Cherokee R-799
(D-889)

Tahlequah, Indian Territory, April 16, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

On April 4, 1904, the action of the Secretary of the Interior of January 17, 1903, approving the Commission's decision denying the application of Virginia S. De Lozier for enrollment as a citizen by blood of the Cherokee Nation, Cherokee R-799 (D-889), was rescinded and said case was remanded for further testimony and readjudication.

The applicant has this day been notified that any testimony she may have to introduce can be presented at the Cherokee Land Office of this Commission at Tahlequah, I.T., on or before May 16, 1904, at which time you can, if you desire, be present and introduce testimony on behalf of the Cherokee Nation.

Evidence is particularly required as to the residence of the applicant.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

Cherokee R-799.

Muskogee, Indian Territory, May 19, 1904.

W. V. Hastings,

Attorney for Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

In the matter of the application of Virginia S. DeLozier for enrollment as a citizen by blood of the Cherokee Nation, you are advised that the Commission is in receipt of Departmental letter of April 4, 1904, remanding the Commission's decision of January 17, 1903, rejecting her application, and directing that she be given an opportunity to introduce further testimony in support of her application. It is particularly desired that she introduce testimony as to her residence.

The applicant has, therefore, this day been directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M., on Friday June 17, 1904, and introduce testimony as above indicated.

The Cherokee Nation will be permitted to appear on that date and introduce such testimony as it may desire.

Respectfully,

Commissioner in Charge.

Cherokee R-799

Tahlequah, Indian Territory. May 19, 1904.

Commission to the Five Civilized Tribes,

Cherokee Division,

Muskogee, Indian Territory.

Gentlemen:

There is enclosed herewith original jacket and record in Cherokee case R-799, Virginia S. De Lozier. This case was remanded on April 4, 1904, for further testimony and readjudication. The applicant and the Attorney for the Cherokee Nation were notified that the testimony was to be introduced in this case on May 16, but on the request of the attorney for the applicant, the hearing was continued until Thursday May 19, at the office of the Commission at Muskogee. The Attorney for the Cherokee Nation has been notified of this change in the date of hearing.

The record is now enclosed in order that the case may be taken up when the applicant presents herself.

Respectfully,

XBR
Encl R-186

Commissioner in Charge
Cherokee Land Office.

COPY.

Cherokee R-799.

Muskogee, Indian Territory, February 24, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of Virginia L. DeLozier, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

SIGNED. *Tame Dixby.*
Chairman.

Encl. L-59.

COPY

Cherokee R-739.

Muskogee, Indian Territory, March 16, 1905.

Virginia S. DeLozier,

Chelsea, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-3.

Tame Birby.
Chairman.

Cherokee R-799.

Muskogee, Indian Territory, May 24, 1905.

Virginia S. DeLozier,

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation. There has heretofore been furnished your former agent, J. R. Sequichie, Chelsea, Indian Territory, a copy of the record of proceedings.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Incl. S-56
Register

Chairman.

COPY

Cherokee R-79J.

Waskoee, Indian Territory, May 24, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application for the enrollment of Virginia S. DeLozier as a citizen by blood of the Cherokee Nation, including the Commission's decision dated February 24, 1905, granting said application.

The Commission's decision dated November 20, 1902, rejecting the application for the enrollment of the said Virginia S. DeLozier as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 17, 1903, and thereafter, on April 4, 1904, this case was remanded for further hearing and readjudication.

Respectfully,

Incl. 3-55.

Through the

Commissioner of Indian Affairs.

Chairman,

DEPARTMENT OF THE INTERIOR,
Land. OFFICE OF INDIAN AFFAIRS,
40876-1905. WASHINGTON. June 6, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the five Civilized Tribes, dated May 24, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Cherokee Nation by Virginia S. DeLozier.

February 24, 1905, the Commission decided favorably to the applicant.

The record shows that on January 17, 1903, the Department affirmed the decision of the Commission adverse to the applicant; that thereafter on April 4, 1904 (I.T.D. 7162-03), the Department rescinded its action and remanded the case for readjudication in accordance with present rulings.

The record further shows that the applicant is a Cherokee by blood and on September 22, 1889, she was by the proper authorities "admitted to all rights, privileges and immunities of Cherokees by blood"; that in the year 1893 the applicant with her father removed to the Cherokee Nation from Georgia, remained about two years and then returned to Georgia where she continued to reside until 1899, when at the age of twenty she returned to the Cherokee Nation, and has since

continuously lived therein. She is duly identified on the Cherokee Strip Payment roll of 1894.

In view of the record the approval of the Commission's decision of February 24, 1905, favorable to the applicant is recommended.

Very respectfully,

C. F. Iarrabee

Acting Commissioner.

M.M.W.
W.

J.I.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

PHH.

D.C. 30173-1905.
I.T.D. 6896-1905.

June 14, 1905.

IRS

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

May 24, 1905, you transmitted the record in the matter of the application for the enrollment of Virginia S. DeLozier as a citizen by blood of the Cherokee Nation, including your decision of February 24, 1905, granting said application.

Reporting June 6, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

(Signed) E. A. Hitchcock
Secretary.

1 inclosure.

Cherokee 10865.

Muskogee, Indian Territory, June 27, 1905.

Virginia S. DeLozier,

Chelsea, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision dated February 14, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 14, 1905.

You are further advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation, and approved by the Secretary of the Interior, of which you will be advised.

Respectfully,

W. H. H. Tamm
Chairman.

Muskogee, Indian Territory, June 27, 1908.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated February 14, 1908, granting the application for the enrollment of Virginia S. DeLosier as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 14, 1908.

Respectfully,

NEO). *Tamc Dixby*
Chairman.

Cher 10866

Mattie L. Butler

Cher 10866

5423-

2

COMM

SEP

with me: They are with me now.
Here in the nation? Yes sir.

The applicant is listed for the enrollment of herself and two children: It is shown in the official transcript of the records of the Cherokee Commission on citizenship, that the father was admitted to citizenship, September 11th, 1890: The applicant is twenty-four years of age, but is not entered in the certificate of admission: Neither does the certificate state that the admission included his family, but it does say that they decided "to admit said applicant, Marion W. Harlan to all the rights, privileges and franchises of Cherokee citizenship by blood".

The applicant is identified on the rolls of 1896, under her maiden name, and her marriage is established by her own and her sister's testimony. The applicant states that she has lived in the Cherokee Nation from the time of her birth, until her marriage in 1891, since which time she has lived partly with her husband, whose home is in Colorado; and partly in the Cherokee Nation, and she claims citizenship in the Cherokee Nation, and has owned property here ever since her marriage: Her two children are identified with her on the roll of 1896: They are living at this time.

The application for the enrollment of the applicant and her two children will be placed upon a "Doubtful Card", for further consideration, and the final result will be made known to her at her home office address.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A. R. Cranner

Subscribed and sworn to before me this 21th day of September, 1900.



COMMISSIONER.

72
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
SEP 22 1900

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 1900

1900.

Name

District

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

License

Certificate

Names of Children:

2 Frank Butler	Dist.	Year	Page	No.	Age
3 Myrtle "	Dist.	Year	Page	No.	Age
"	Dist.	Year	Page	No.	Age
"	Dist.	Year	Page	No.	Age
"	Dist.	Year	Page	No.	Age
"	Dist.	Year	Page	No.	Age
"	Dist.	Year	Page	No.	Age
"	Dist.	Year	Page	No.	Age
"	Dist.	Year	Page	No.	Age
"	Dist.	Year	Page	No.	Age

1 Cu F. C. Rose as Mattie Butler

FILED
JUL 28 1962

~~RECEIVED~~

COMMISSIONERS

HENRY L. DAWES.
TAMM BIRBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Memorandum of 2/26/02

Received of the Commission to the Five Civilized Tribes
one copy of the testimony in the matter of the application of
Matthew L. Britton for enrollment as
Freedmen of the Cherokee Nation.

A. L. Aylesworth

No. 2.1420

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 26, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of
MATTIE L. BUTLER, ET AL., as citizens of the Cherokee Nation, intro-
duced on part of applicants:

Appearances:

Applicant present in person and by Agent, J. R. Se-
quichie, Chelsea, I. T.;
Mr. W. W. Hastings, Cherokee Representative.

Commission: The applicant was notified by registered let-
ter February 10, 1902, that this could be taken up by
the Commission for final consideration on the 26th day of Feb-
ruary, 1902. Receipt has been acknowledged of the Commission's
letter, and the applicant this day appears in person with her
Agent, J. R. Sequichie.

N. L. HARLIN, being duly sworn, testified as follows on
part of applicants:
BY COMMISSION:

- Q What is your name? A N. L. Harlin.
Q What is your age? A 56 years old.
Q Your post office address? A Vinita.

MR. SEQUICHIE:

- Q Do you know the applicant in this case, Mrs. M. L. Butler,
Mattie L. Butler? A Yes, sir.
Q What relation is she to you? A She is a niece.
Q Is she your sister or your brother's girl? A Brother's child.
Q In the certificate of admission filed of her father Marion Harlin
there is reference made to this girl, Mattie Butler, nee Harlin;
now I wish to ask, Mr. Harlin, is there any circumstance you remem-
ber of the time of the readmission of Marion Harlin Was he re-
admitted to citizenship in the Cherokee Nation at the same time you
were? A Yes, sir.
Q Now, what was the circumstance brought about in his case simi-
lar to yours?

Mr. Hastings: I object to that; I can't for the life of
me see where it is relevant.

- Q Well, now, when Marion Harlin was admitted as a citizen of the
Cherokee Nation was there ever anything said about as to the citi-
zenship of his wife?

Mr. Hastings: I object because because it is not shown
that this is relevant and it is not shown as to whom the conver-
sation was between. It is clearly hearsay.

- Q Were you readmitted at the same time, Mr. Harlin? A Yes, sir.
Q Did you know whether the father of the applicant, Marion Harlin,
applied for the admission of his wife? A Yes, sir.
Q What was the decision in her case? A That she was a white woman
and could not admit her.
Q Was there anything said about the children? A Yes, sir.
Q Mr. Harlin was readmitted? A Yes, sir.

MR. HASTINGS:

- Q Where is the applicant living at the present time, where does she
get her mail? A In Colorado.

MATTIE L. BUTLER, the applicant, being sworn and examined testified as follows in her own behalf:

MR. SEQUICHIE:

- Q What is your name? A Mattie L. Butler.
Q What is your age? A 26.
Q What is your post office? A Holly, Colorado.
Q How long have you lived there, that is how long have you been there? A About 11 years, 12 now.
Q What is the reason of your residence; that is your residing in Colorado; is it permanent or temporary? A It is on account of my husband's health.
Q When did you return to the Cherokee Nation? A I come back here every little while.
Q When did your husband die? A On the 25th day of November, in 1900.
Q Where did he die; in Colorado? A Yes, sir.
Q Have you made any efforts; have you kept your effects in the Cherokee Nation as to hold your citizenship in the Cherokee Nation? A Yes, sir.
Q What does that property consist of? A Land and we own cattle here, hogs.
Q Give your reasons why you haven't returned since the death of your husband? A I am waiting to settle up the estate.
Q Have you been appointed his administrator of the estate or something? A Yes, sir.
Q How long do you have to live there under the laws of Colorado before you can settle the matter? A I has to be a year; the estate will be settled the 14th of March.

MR. HASTINGS:

- Q What does the estate consist of? A A little farm
Q You had a farm out there? A Yes, sir.
Q Any town property? A No, sir.
Q No personal property, horses or cattle? A Yes, sir; we have some horses.
Q He had been out there 11 years? A Yes, sir.
Q How long have you been married? A 11 years in April.
Q Where were you married? A Out there--in Kansas.
Q What place in Kansas were you married? A Coolage, Kansas.
Q Your husband took sick immediately afterwards and you went to Colorado? A He was a weakly man when I married him.
Q Where were you born? A Here.
Q Where? A In the Territory.
Q Where in the Territory? A About 20 miles from Vinita.
Q What district? A Cooweescoowee.
Q And you went to Kansas after you were born? A Yes, sir.
Q How old were you when you went there? A About, I was over 14.
Q Over 14? A Yes, sir.
Q You have never lived here since that? A Yes, sir.
Q When? A I have come back and lived off and on.
Q Well, I mean to stay any length of time? A No, I haven't since I have been married, more than to stay a month or two.
Q Where do you own any farm in the Cherokee Nation? A Nine miles north of Vinita.
Q Who did you get it from? A This man right here.
Q Your uncle? A Yes, sir.
Q Since the Curtis bill passed? A No, sir, I got it in '97.
Q That is the first time you owned any? A No, sir; I had property before.
Q And you disposed of that since you went to Colorado? A No, sir.

Q Well, when did you sell it? A I didn't sell it, it was our father's estate.

Q You were an heir? A Yes, sir.

Q Well, with that exception, that is the first property you have owned in the Territory? A Yes, sir.

Q How much did you pay for it? A Four hundred dollars.

MR. SEQUICHIE:

Q Is that a transaction in fact, that you bought? A Yes, sir.

Mr. Sequichie: We have a bill of sale here of that property we would like to offer as evidence.

MR. HASTINGS:

Q When was this written transfer made? A It was made in June.

Q Of what year? A Well, I bought it in '97.

Q But when was this written transfer made, this written document?

A Mr. Thompson wrote it when I bought it.

Q Was it written in 1897? A Yes, sir, that I bought the land he wrote that.

Mr. Hastings: I want to call attention to the fact that there is no date on it.

Commission: There is offered in evidence a Bill of Sale showing that one M. K. Harlin in consideration of four hundred dollars paid by Mrs. Hattie Butler did sell and convey to the said grantee certain property situated nine miles northwest of the town of Vinita, Indian Territory. It is filed herewith.

Commission: It appears from the papers filed in the case of John E. Hazworthy, et al., Cherokee case No. D.451, that Marion F. Harlin was admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship on the 14th day of September, 1880. The document is signed by Roach Young, President of the Commission, William Harnage and G. W. Mayes, Assistant Commissioners, and J. B. Mayes, Clerk.

The Agent for the applicant and the representative of the Cherokee Nation present submit this case to the Commission. The same is ordered closed and reported to the Commission for final decision based upon the evidence now on file.

---000000000---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this March 1, 1902.

Commissioner.

'e it known; that I Payett warlan of Vinita Cherokee Nation Ind Ter., in consideration of \$400.00 to me paid by Mrs. Mattie Butler the receipt whereof is hereby acknowledged, do sell and convey to the said grantee the following described personal property, to-wit:

One place nine miles north west of Vinita, I.T. known as the rayett warlan Place bounded on the north by Chas Tyler east by Jim Coats south Joan Hall, about 320 acres.

Warranted to be free from incumbrance and adverse claims upon the following condition. that if---- pay \$400.00 to ----- on the day of ----189 with -- per cent interest from -- until paid then this mortgage is to be void. That in case default is made in the payment of said \$--- the said mortgagees shall sell or dispose of the same by giving two weeks notice by three written notices posted in the district where said property is to be sold, and that any of the mortgagees may purchase as other parties and out of the proceeds of said sale the said \$-- and interest and cost of sale is to be retained and the overplus if any paid to the mortgagees.

Signed in the presence of
T. F. Thompson

W. L. Harlan (SRA)

(back)

TO

United States of America, Indian Territory, First Judicial Division.

That on this -----day of -----189 some-----
who is personally known to me and who executed this written instrument
of writing and such person duly acknowledged the execution of the same.
In tes imony whereof I have hereunto set my hand and seal this day
and year above written.

Tern expires-- day of ----- --189

Notary Public

Cherokee-D-511

Vinita, Indian Territory July 30, 1889

TO ALL WHOM IT MAY CONCERN:

This is to certify that on the above date and near the above named place, Silas D. Bluejacket, a Cherokee citizen and Delila Gullett were by me joined in the holy bond of matrimony according to the ordinance of God and the laws of the country.

Wm. P. Haworth

Presbyterian Pastor.

I the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Silas D. Bluejacket, Burtie Bluejacket, Bonnie Bluejacket, Elsie Bluejacket, Oscar Bluejacket, Henry Bluejacket, Mike Bluejacket and Dottie B. Bluejacket as citizens of the Cherokee Nation.

Muskogee, Indian Territory,

May 6, 1902:

W. S. Kaufman

Cherokee-D-423

I the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Mattie L. Butler, Frank L. Butler and Myrtle Butler as citizens of the Cherokee Nation, Muskogee, Indian Territory,
May 6, 1902.

W. S. Kaufman

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mattie L. Butler for the enrollment of herself and her two minor children Frank L. and Myrtle Butler as citizens by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on September 25, 1900, the applicant, Mattie L. Butler, appeared before the Commission at Vinita, Indian Territory, and then and there made personal application for the enrollment of herself and her two minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation. Further testimony was submitted in this case on February 26, 1902 at Muskogee, Indian Territory.

It appears from the evidence in support of this application and from the records of the Cherokee Nation in possession of the Commission that M rion Harlan, the father of the applicant, Mattie L. Butler was admitted to citizenship in the Cherokee Nation, September 14, 1880. The applicant, Mattie L. Butler, was a minor at that date.

It further appears that the principal applicant was married to Willis Butler, a white man, in 1891; that he made his home in the state of Colorado from the time of said marriage up to the date of the original application herein, and that the applicant, Mattie L. Butler lived with him during that time, but made occasional visits to the Cherokee Nation. It further appears that Willis Butler, the husband of the applicant, Mattie L. Butler, died on November 25, 1900 in the state of Colorado, and that said Mattie L. Butler has been appointed administrator of his estate in said state of Colorado. It does not appear from the evidence in support of this application that the minor children, Frank L. and Myrtle Butler

Cherokee-D-425

have ever established residence in the Cherokee Nation. Mattie L. Butler is identified on the 1896 Census Roll of the Cherokee Nation, page 120, No. 655; Frank L. Butler is identified on said roll, page 120, No. 656; Myrtle Butler is identified on said roll page, 120, No. 657.

The authority of the Commission herein is defined in Par. 9, Sec. 21, of the act of Congress, June 28, 1898(30 Stats.,495):

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship."

It is therefore the opinion of this Commission that Mattie L. Butler, Frank L. Butler and Myrtle Butler are not lawfully entitled to be enrolled as members by blood of the Cherokee Tribe of Indians in Indian Territory, and that the application for their enrollment as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

this OCT 26 1902

Cherokee H-798. R713.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Mattie L. Butler and her minor children, Frank L. and Myrtle Butler,
as citizens by blood of the Cherokee Nation.

-:-

DECISION.

The record herein shows that on September 25, 1900, Mattie L. Butler appears before the Commission at Vinita, Indian Territory, and made application for the enrollment of herself and her minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on February 26, 1902.

The record further shows that on October 27, 1902, this Commission rendered its decision herein, denying said applicants the right to enrollment as citizens by blood of the Cherokee Nation, and that said decision was duly approved by the Department. Thereafter, (Departmental letter of March 2, 1904, I.T.D. 8016-03), upon request of the Commission, said decision was rescinded, and case remanded for readjudication "in accordance with the rulings of the Department in the Yeargain and similar cases".

The evidence in this case shows that one Marion Harlan, deceased, a Cherokee by blood, was the father of the principal applicant, Mattie L. Butler; that on September 14, 1880, by the properly constituted authorities, the said Marion Harlan, deceased, was admitted "to all the rights, privileges and franchises of Cherokee citizenship by blood"; that on the date of said admission the said principal applicant was a minor member of her father's family, and continuously resided in the Cherokee Nation with her father from the date of said admission until the year 1891; that in the year 1891 said principal applicant was married to one Willis Butler, a white man, and, on account of her husband's poor health, removed with him to the state of Colorado, where she resided until his death in 1900, since which time she has continued to reside in said state of Colorado for the purpose of winding up her deceased husband's estate, she having been appointed administratrix. It appears that during her residence in Colorado said principal applicant owned valuable property in the Cherokee Nation


and always considered said Nation her home. The minor applicants herein are children of the said Mattie L. Butler, have continuously resided with their mother since birth, and together with their mother are duly identified on the Cherokee census roll of 1896.

It is, therefore, the opinion of this Commission that, following the rulings of the Department in the cases of Clement O. Clarke et al., (I.T.D. 1370-03), Joseph D. Yeargain et al., (I.T.D. 2900-03), and Martha Hill, et al., (I.T.D. 3884-03), Mattie L. Butler, Frank L. Butler and Myrtle Butler, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 20, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman


Commissioner


Commissioner

Muskogee, Indian Territory,

FEB 24 1905

DEPARTMENT OF THE INTERIOR,
 COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
 CHEROKEE LAND OFFICE.
 Tahlequah, I.T., December 19, 1905.

In the matter of the application for the enrollment of
 Mattie L. Butler and her children, Frank L. and Myrtle Butler
 as citizens by blood of the Cherokee Nation.

Mattie L. Wilson (formerly Mattie L. Butler), being first
 duly sworn by William P. Drew, a Notary Public, and examined on behalf
 of the Commissioner, testified as follows:

- Q What is your name? A Mattie L. Wilson.
 Q What is your age? A Twenty-nine.
 Q What is your postoffice address? A Holly, Colorado.
 Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
 Q What was the name of your father? A Marion Harlan.
 Q Is he living? A No sir.
 Q What is the name of your mother? A Belle Harlan.
 Q Is she living? A Yes sir.
 Q Your father was a Cherokee citizen and your mother a non citizen?
 A Yes sir.
 Q Have you married since application was made for your enrollment?
 A Yes sir. I married a man by the name of Butler.
 Q He was your first husband? A Yes sir.
 Q Is he dead? A Yes sir.
 Q And you have since remarried? A Yes sir.
 Q What is the name of your present husband? A Thomas Wilson.
 Q Is he a citizen of the Cherokee Nation? A No sir.
 Q When were you married to him? A October 27, 1903.
 Q Have you and he lived together as husband and wife from your marriage
 to the present time? A Yes sir.
 Q Have you any children? A Yes sir, three children.
 Q What are their names? A Frank L., and Myrtle Butler and my baby
 Pamela Wilson.
 Q These children are all living with you? A Yes sir.
 Q When was Pamela born? A The 25th of October, 1904.
-

Ira S. Niles, being duly sworn, states that as stenographer
 to the Commissioner to the Five Civilized Tribes he correctly re-
 corded the testimony in this case and that the above and foregoing
 is a true and complete transcript of his stenographic notes.

Subscribed and sworn to before me this
 the 19th day of December, 1905.

William P. Drew
 Notary Public.

20

1.423

DEPT. OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
TO THE CIVILIZED TRIBES.
FILED
JAN 1 1902

COMMISSIONERS
HENRY L. JAMES
TAMM BIRBY
THOMAS B. NEEDLES
C. K. BRICKNORRIDGE

ARLISON I. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory,

February 10th

1902

Mrs. Mattie L. Butler,
Holly, Colorado,

Madam:-

You are hereby notified that the application of **yourself and two minor children**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the **26th** day of **February**, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certificate of readmission of Marion Harlan.

Yours truly,

Cherokee D-423
Register.

Acting Chairman.

0000

Cherokee D - 423.

Muskogee, Indian Territory, October 28, 1902.

J. R. Sequichie,
Agent for Mattie Butler, et al,
Chelsea, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 27, 1902, respecting the application of Mattie L. Butler for the enrollment of herself and her two minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation. You have, heretofore, been furnished with a copy of the record of the proceedings.

The decision with the record of proceedings had in this case has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

7-11-1902.
Acting Chairman.

Enclosure C. No. 19.

Register.

COPY

Cherokee D - 423.

Muskogee, Indian Territory, October 28, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 27, 1902, rejecting the application of Mattie L. Butler for the enrollment of herself and her two minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation.

The decision with the record of the proceedings had in the case has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

James H. Smith

Acting Chairman.

Enclosure C. No. 20.

COPY.

Muskogee, Indian Territory, October 28, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of the proceedings had in the matter of the application of Mattie L. Butler for the enrollment of herself and her two minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation, including the Commission's decision, dated October 27, 1902, rejecting said application.

Respectfully,

James P.

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enclosure C. No. 2

COPY

Cherokee D - 423.

Muskogee, Indian Territory, October 28, 1902.

Mattie L. Butler,

Holly, Colorado.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 27, 1902, respecting your application for the enrollment of yourself and your two minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation.

There has, heretofore, been furnished your agent, J. R. Sequishie, Chelsea, Indian Territory, a copy of the record of the proceedings, and there has this day been forwarded to him a copy of the Commission's decision.

The decision, with the record of the proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Enclosure C. No. 18.

Acting Chairman.

Register.

COPY.

Cherokee D-423

Muskogee, Indian Territory, January 29, 1903.

Mattie L. Butler,
Holley, Colorado.

Dear Madam:-

You are hereby advised that the Commission's decision, dated October 27, 1902, rejecting your application for the enrollment of yourself and two minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior January 19, 1903.

Respectfully,

Tams Dixey.
Acting Chairman.

COPY.

Cherokee D-423

Muskogee, Indian Territory, January 29, 1903.

J. R. Sequichie,

Agent for Mattie L. Butler et al.,

Chelsea, Indian Territory.

Dear Sir:-

You are hereby advised that the Commission's decision, dated October 27, 1902, rejecting the application of Mattie L. Butler for the enrolment of herself and two minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 19, 1903.

Respectfully,

Tams Dixby.
Acting Chairman.

COPY.

Cherokee D-423

Muskogee, Indian Territory, January 29, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:-

You are hereby advised that the Commission's decision, dated October 27, 1902, rejecting the application of Mattie L. Butler for the enrollment of herself and two minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior January 19, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

Cherokee R-798

Muskogee, Indian Territory, February 6, 1903.

Mattie L. Butler,
Holley, Colorado.

Dear Madam:

The bill of sale from H. L. Harlin to yourself, heretofore filed with your application for enrollment as a citizen of the Cherokee Nation, is herewith returned to you, a copy having been made and filed with that application.

Respectfully,

Acting Chairman.

Encl-S-104

GRS

COPY.
Refer in reply to the following:
Land. 4302-1903.
70351-1903.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS

WASHINGTON, Nov. 7, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

contained

In accordance with the direction in Department letter of October 30th (ITD 8018, 9223-1903), the record in the matter of the application of Mattie L. Butler, et al., for enrollment as Cherokees is transmitted herewith.

Very respectfully,

W.A. Jones,

Commissioner.

GAW-S.

D.C.No.7224-1904.

JP. FHE. LRS.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, March 2, 1904.

I.T.D. 8015-1903.
7162-1903.
8016- ".

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

January 19, 1903, the Department affirmed your decision rejecting the application for the enrollment of Mattie L. Butler and her minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation.

It appeared that the father of the principal applicant was admitted to Cherokee citizenship in 1880, at which time the principal applicant was a minor; that in 1891 she married a white man and lived with him in the state of Colorado up to the time of taking the last testimony in this case, February 26, 1902; that her said children have never resided in the nation. All of the applicants are identified on the 1896 census roll.

A motion for a rehearing in this case was filed October 24, 1903. On September 22, 1903, you requested that the case be remanded in order that you might readjudicate the matter in accordance with the ruling of the Department in the Yeargain and similar cases.

Complying with your request, the decision of January 19, 1903, is hereby rescinded, and the testimony, with the papers attached and said motion to reopen, are inclosed herewith.

Respectfully,
2 inclosures.

(Signed) Theo. Ryan, Acting Secretary.

Cherokee R-
798 and 753

Tahlequah, Indian Territory, March 12, 1904.

Commission to the Five Civilized Tribes,
(Cherokee Division),
Muskogee, Indian Territory.

Gentlemen:

As requested in the Commission's letter of March 10,
there are enclosed herewith the cards, jackets and records in the
following Cherokee cases:

R-798, Mattie L. Butler et al.;
R-753, James E. Vann et al.

You also request that the jacket and record in Cherokee
case No. 973, Cora Skelley et al., be forwarded to the general
office. You are advised that on August 6, 1903, the original
jacket and record in that case was transmitted to the general office
at the request of the Commission in its letter of July 29, 1903.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

MYM

Enc. M-193

COPY.

Cherokee R-798.

Muskogee, Indian Territory, February 24, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of Mattie L. Butler and her minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Jame Dixby

Chairman.

Encl. L-35.

COPY:

Cherokee R-798.

Wuskogee, Indian Territory, March 16, 1905.

James S. Davenport,

Attorney for Mattie L. Butler, et al.,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of Mattie L. Butler and her minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation.

Respectfully,

Incl. S-11.

James Bixby.
Chairman.

COPY.

Cherokee R-798.

Muskogee, Indian Territory, March 16, 1905.

Mattie L. Butler,

Holly, Colorado.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of yourself and your minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. 8-10.

COPIED. *Tams Dixby*
Chairman.

COPY.

Cherokee R-798.

Muskogee, Indian Territory, May 24, 1905.

Mattie L. Butler,
Holly, Colorado.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of yourself and your minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee Nation. There has heretofore been furnished your attorney, James S. Davenport, Vinita, Indian Territory, a copy of the record of proceedings, and there has this day been forwarded to him a copy of the Commission's decision.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

(SIGNED).

Tame Dixby.
Chairman.

Incl. S-57
Register

COPY

Cherokee R-798.

Muskogee, Indian Territory, May 24, 1905.

James S. Davenport,

Attorney for Mattie L. Butler, et al.,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of Mattie L., Frank L. and Myrtle Butler as citizens by blood of the Cherokee Nation. You have heretofore been furnished with a copy of the record of proceedings.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Incl. S-58.
Register

SIGNED: *Tamc Bixby.*
Chairman.

CCF

Cherokee R-798.

Muskogee, Indian Territory, May 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application for the enrollment of Mattie L. Butler, et al. as citizens by blood of the Cherokee Nation, including the Commission's decision dated February 24, 1906, granting said application.

The Commission's decision dated October 27, 1902, rejecting the application for the enrollment of the applicants herein as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 19, 1903, and thereafter, on March 2, 1904, the Department remanded this case for further hearing and readjudication.

Respectfully,

(SIGNED)

Tams Dixby.
Chairman.

Incl. 8-59.

Through the

Commissioner of Indian Affairs.

COPY.

Cherokee-10866.

Muskogee, Indian Territory, June 2, 1905.

James S. Davenport,

Attorney for Mattie L. Butler, et al.,

Vinita, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of May 19, 1905, asking to be advised whether or not the attorney for the Cherokee Nation filed a protest against the Commission's decision granting the application for the enrollment of Mattie L. Butler, et al. as citizens by blood of the Cherokee Nation.

In reply you are advised that, no protest having been filed against the decision of the Commission granting the application for the enrollment of the said Mattie L. Butler, et al. as citizens by blood of the Cherokee Nation, said decision, together with the record of proceedings had in the case, was, on May 25, 1905, transmitted to the Secretary of the Interior for his review and decision. This case was forwarded to the Department for the reason that it was a remanded case.

Respectfully,

SIGNED *T. E. Needles*
COMMISSIONER, Commissioner in Charge.

Refer in reply to
the following:
Land.
40874-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

June 5, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated May 24, 1905, transmitting the record of the application for enrollment as citizens by blood of the Cherokee nation by Mattie L. Butler for herself and her minor children, Frank L. and Myrtle Butler.

February 24, 1905, the Commission decided favorably to the applicants.

The record shows that on October 27, 1902, the Commission rendered a decision denying these applicants enrollment which was approved by the Department; that on March 2, 1904, the Department rescinded its action and remanded the case to the Commission for readjudication.

The evidence shows that one Marion Harlan, deceased, a Cherokee by blood, was the father of the principal applicant; that on September 14, 1880, Marion Harlan was by the proper authorities admitted "to all the rights, privileges and franchises of Cherokee citizenship by blood"; that on the date of such admission the principal applicant was a minor member of

her father's family and continuously resided in the Cherokee Nation with her father until 1891; that in the year 1891, she was married to one Willis Butler, a white man, and on account of her husband's health removed with him to the State of Colorado, where she resided until his death in 1900 and she has continued to reside in Colorado for the purpose of winding up her husband's estate; that during her residence in Colorado she has owned valuable property in the Cherokee nation. The minor applicants have continuously resided with their mother and with her are duly identified on the 1896 Cherokee Census roll.

In view of the record the approval of the Commission's decision favorable to the applicants is recommended.

Very respectfully,

C. F. Larrabee

Acting Commissioner.

M.M.M.
W.

D. C. 30148-1905.
I.T.D. 6804-1905.
L.R.S.

Y.P.
FHE.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

June 12, 1905.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

May 24, 1905, you transmitted the record in the matter of the application for the enrollment of Mattie L. Butler and her minor children, Frank L. and Myrtle Butler, as citizens by blood of the Cherokee nation, including your decision of February 24, 1905, granting said application.

Reporting June 5, 1905, the Indian Office recommends that your decision be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

(Signed) E. A. Hitchcock.
Secretary.

1 inclosure.

CC

Cherokee-10866.

Muskogee, Indian Territory, June 20, 1905.

Mattie L. Butler,

Holly, Colorado.

Dear Madam:

You are hereby advised that the Commission's decision dated February 24, 1905, granting the application for the enrollment of yourself, et al., as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 12, 1905.

You are further advised that you will not be permitted to make allotment selections until your names have been placed upon a schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which you will be duly notified.

Respectfully,

SIGNED

Tamm Derry

Chairman.

Cherokee 10866.

Muskogee, Indian Territory, June 20, 1905.

James S. Davenport,

Attorney for Mattie L. Butler, et al.,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated February 24, 1905, granting the application for the enrollment of Mattie L. Butler, et al., as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 12, 1905.

Respectfully,

Signed *James Dixby.*
Chairman.

COPY.

Cherokee 10866.

Muskogee, Indian Territory, June 20, 1905.

W. V. Hastings,

Attorney for the Cherokee nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated February 24, 1905, granting the application for the enrollment of Mattie L. Butler, et al., as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on June 12, 1905.

Respectfully,

SIGNED: *Tamc Dixby.*
Chairman.

Cher 10867
James Still

Cher 10867

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✓

224

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Herein is the record in the matter of the application
for the enrollment as a citizen by blood of the Cherokee Nation of:

JAMES STILL

CHEEHOKEE D 1888

2

0

THE UNIVERSITY OF CHICAGO
LIBRARY
540 EAST 57TH STREET
CHICAGO, ILL. 60637
U.S.A.

FOR THE YEAR ENDING 1967

THE UNIVERSITY OF CHICAGO

41

KATHY GATTI, 1986 LOT # 713, CONJUGATE DISTRICT;
MARIANNE OF LANSING, MI
LOTT, 1986 LOT # 704, CONJUGATE DISTRICT;
JAMES GATTI, 1986 LOT # 707, CONJUGATE DISTRICT; STED ON

1931. 1932. 1933. 1934. 1935. 1936. 1937. 1938. 1939. 1940. 1941. 1942. 1943. 1944. 1945. 1946. 1947. 1948. 1949. 1950. 1951. 1952. 1953. 1954. 1955. 1956. 1957. 1958. 1959. 1960. 1961. 1962. 1963. 1964. 1965. 1966. 1967. 1968. 1969. 1970. 1971. 1972. 1973. 1974. 1975. 1976. 1977. 1978. 1979. 1980. 1981. 1982. 1983. 1984. 1985. 1986. 1987. 1988. 1989. 1990. 1991. 1992. 1993. 1994. 1995. 1996. 1997. 1998. 1999. 2000. 2001. 2002. 2003. 2004. 2005. 2006. 2007. 2008. 2009. 2010. 2011. 2012. 2013. 2014. 2015. 2016. 2017. 2018. 2019. 2020. 2021. 2022. 2023. 2024. 2025. 2026. 2027. 2028. 2029. 2030. 2031. 2032. 2033. 2034. 2035. 2036. 2037. 2038. 2039. 2040. 2041. 2042. 2043. 2044. 2045. 2046. 2047. 2048. 2049. 2050. 2051. 2052. 2053. 2054. 2055. 2056. 2057. 2058. 2059. 2060. 2061. 2062. 2063. 2064. 2065. 2066. 2067. 2068. 2069. 2070. 2071. 2072. 2073. 2074. 2075. 2076. 2077. 2078. 2079. 2080. 2081. 2082. 2083. 2084. 2085. 2086. 2087. 2088. 2089. 2090. 2091. 2092. 2093. 2094. 2095. 2096. 2097. 2098. 2099. 2100. 2101. 2102. 2103. 2104. 2105. 2106. 2107. 2108. 2109. 2110. 2111. 2112. 2113. 2114. 2115. 2116. 2117. 2118. 2119. 2120. 2121. 2122. 2123. 2124. 2125. 2126. 2127. 2128. 2129. 2130. 2131. 2132. 2133. 2134. 2135. 2136. 2137. 2138. 2139. 2140. 2141. 2142. 2143. 2144. 2145. 2146. 2147. 2148. 2149. 2150. 2151. 2152. 2153. 2154. 2155. 2156. 2157. 2158. 2159. 2160. 2161. 2162. 2163. 2164. 2165. 2166. 2167. 2168. 2169. 2170. 2171. 2172. 2173. 2174. 2175. 2176. 2177. 2178. 2179. 2180. 2181. 2182. 2183. 2184. 2185. 2186. 2187. 2188. 2189. 2190. 2191. 2192. 2193. 2194. 2195. 2196. 2197. 2198. 2199. 2200. 2201. 2202. 2203. 2204. 2205. 2206. 2207. 2208. 2209. 2210. 2211. 2212. 2213. 2214. 2215. 2216. 2217. 2218. 2219. 2220. 2221. 2222. 2223. 2224. 2225. 2226. 2227. 2228. 2229. 2230. 2231. 2232. 2233. 2234. 2235. 2236. 2237. 2238. 2239. 2240. 2241. 2242. 2243. 2244. 2245. 2246. 2247. 2248. 2249. 2250. 2251. 2252. 2253. 2254. 2255. 2256. 2257. 2258. 2259. 2260. 2261. 2262. 2263. 2264. 2265. 2266. 2267. 2268. 2269. 2270. 2271. 2272. 2273. 2274. 2275. 2276. 2277. 2278. 2279. 2280. 2281. 2282. 2283. 2284. 2285. 2286. 2287. 2288. 2289. 2290. 2291. 2292. 2293. 2294. 2295. 2296. 2297. 2298. 2299. 2300. 2301. 2302. 2303. 2304. 2305. 2306. 2307. 2308. 2309. 2310. 2311. 2312. 2313. 2314. 2315. 2316. 2317. 2318. 2319. 2320. 2321. 2322. 2323. 2324. 2325. 2326. 2327. 2328. 2329. 2330. 2331. 2332. 2333. 2334. 2335. 2336. 2337. 2338. 2339. 2340. 2341. 2342. 2343. 2344. 2345. 2346. 2347. 2348. 2349. 2350. 2351. 2352. 2353. 2354. 2355. 2356. 2357. 2358. 2359. 2360. 2361. 2362. 2363. 2364. 2365. 2366. 2367. 2368. 2369. 2370. 2371. 2372. 2373. 2374. 2375. 2376. 2377. 2378. 2379. 2380. 2381. 2382. 2383. 2384. 2385. 2386. 2387. 2388. 2389. 2390. 2391. 2392. 2393. 2394. 2395. 2396. 2397. 2398. 2399. 2400. 2401. 2402. 2403. 2404. 2405. 2406. 2407. 2408. 2409. 2410. 2411. 2412. 2413. 2414. 2415. 2416. 2417. 2418. 2419. 2420. 2421. 2422. 2423. 2424. 2425. 2426. 2427. 2428. 2429. 2430. 2431. 2432. 2433. 2434. 2435. 2436. 2437. 2438. 2439. 2440. 2441. 2442. 2443. 2444. 2445. 2446. 2447. 2448. 2449. 2450. 2451. 2452. 2453. 2454. 2455. 2456. 2457. 2458. 2459. 2460. 2461. 2462. 2463. 2464. 2465. 2466. 2467. 2468. 2469. 2470. 2471. 2472. 2473. 2474. 2475. 2476. 2477. 2478. 2479. 2480. 2481. 2482. 2483. 2484. 2485. 2486. 2487. 2488. 2489. 2490. 2491. 2492. 2493. 2494. 2495. 2496. 2497. 2498. 2499. 2500. 2501. 2502. 2503. 2504. 2505. 2506. 2507. 2508. 2509. 2510. 2511. 2512. 2513. 2514. 2515. 2516. 2517. 2518. 2519. 2520. 2521. 2522. 2523. 2524. 2525. 2526. 2527. 2528. 2529. 2530. 2531. 2532. 2533. 2534. 2535. 2536. 2537. 2538. 2539. 2540. 2541. 2542. 2543. 2544. 2545. 2546. 2547. 2548. 2549. 2550. 2551. 2552. 2553. 2554. 2555. 2556. 2557. 2558. 2559. 2560. 2561. 2562. 2563. 2564. 2565. 2566. 2567. 2568. 2569. 2570. 2571. 2572. 2573. 2574. 2575. 2576. 2577. 2578. 2579. 2580. 2581. 2582. 2583. 2584. 2585. 2586. 2587. 2588. 2589. 2590. 2591. 2592. 2593. 2594. 2595. 2596. 2597. 2598. 2599. 2600. 2601. 2602. 2603. 2604. 2605. 2606. 2607. 2608. 2609. 2610. 2611. 2612. 26

THE UNIVERSITY OF CHICAGO

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

THE UNIVERSITY OF CHICAGO

[illegible]

R
Cher D 1866

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name ? A Emmet Starr.
Q What is your age ? A Thirty one years.
Q What is your post office address ? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation ?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment ?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

James Still, page 786, # 1851, Goingsnake District; also on
1880 roll, page 476, # 1857, Goingsnake District;
Note: "West of Kansas".
Katie Still, 1896 roll, page 828, # 173, Goingsnake District;

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment ?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. C. Bagwell

Subscribed and sworn to before me this 4 day of August, 1902.

J. K. Kester
Notary Public.

R.

Cher. D-1866.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 12, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of JAMES STILL as a citizen by blood, and of his wife KATIE STILL, as a citizen by intermarriage of the Cherokee Nation.

Wm. A. DOWNING, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A William A. Downing.
Q How old are you? A Forty-six.
Q What is your post office address? A Rose, I. T., I live in Saline District.
Q Do you know James Still? A Yes sir.
Q Is he related to you? A Yes sir.
Q What relation? A He is what you term a first cousin. His mother is my aunt, father's sister.
Q What is the post office address of James Still? A Believe they call it Flint, that is the nearest post office.
Q In what district does he reside? A In Goingsnake.
Q The 1896 roll shows that he would be now about forty years of age, do you think that is correct? A Yes, that is about his age. I think he was born the time of the war sometime.
Q Is he a full blood Cherokee? A Just about, yessir.
Q He passes for a full blood? A Yes sir.
Q What is the name of his father? A James Still.
Q Is he living? A No sir.
Q Was he a Cherokee by blood? A Yes sir.
Q What is the name of his mother? A Susan Still.
Q Is she living? A Yes sir.
Q Is she a Cherokee by blood? A Yes sir, she is a Cherokee by blood.
Q How long have you known James Still? A Ever since he was a child
Has he resided in the Cherokee Nation continuously during the time you have known him? Yes sir.
Q Is James Still married? A Yes sir.
Q What is the name of his wife? A I have heard her name is Katie.
Q Is she a white woman? A She is a white woman.
Q Was James Still married to her? A I suppose so, I don't know, I was not present. I don't know that they were married, but I have heard they were married. They have lived together ever since he took her.
Q When did they begin living together? A I suppose it was sometime about the fall of 1894 or 1895, I forget which.
Q Have they lived together continuously from the time they began living together? A Yes sir, I think they have.
Q Have they any children? A No sir.
Q Do you know where they were married? A No sir I don't. I heard they were married in Siloam Springs.

1880 authenticated roll of citizens of the Cherokee Nation examined, and applicant identified thereon as follows:

Page 476, #1657, James Still, Goingsnake District, native Cherokee, age 16.

1896 census roll of citizens of the Cherokee Nation examined, and applicants identified thereon as follows:

1

Page 786, #1851, James Still, Goingsnake District, age 34.

Page 828, #173, Katie Still, Goingsnake District, age 21.
Adopted White.

Q The 1896 roll shows that Katie Still would be now twenty-seven years of age, do you think that is correct? A Yes, that would be about her age.

Q Was James Still ever married before he married his present wife? Katie Still? A No sir, I think not.

Q Did you ever hear of her being married before she married James Still? A No sir, I think not.

Q You don't know whether she was married or not? A No sir.

The record of marriages of the Executive Office of the Cherokee Nation at Tahlequah have this day been examined, and no record can be found of a marriage license or certificate of James and Katie Still having been recorded thereon.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 19th day of Augst, 1902.

John H. Carson
Notary Public.

File with Cherokee D 1863.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., November 12, 1903.

In the matter of the application of James Still for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Katie Still, as a citizen by intermarriage of the Cherokee Nation.

Zeke Proctor, being duly sworn and examined, testified as follows:

Q State your name? A Zeke Proctor.
Q How old are you? A I am pretty near seventy years old, lacking ten months of being seventy.
Q What is your post office? A Ballard.
Q You are a citizen of the nation? A Yes sir, that is what they tell me.
Q Do you know James Still? A Yes sir.
Q How long have you known him? A Ever since he was a child.
Q About how old is he now? A He must be some thirty odd years old.
Q Is he a full blood? A Pretty nearly.
Q Has he always lived in the nation? A Yes, he always lived in Goingsnake District.

James Still is identified on the roll of 1880 page 476 No. 1657 Goingsnake District.

Q Do you know his wife Katie? A I have seen her.
Q Is she a white woman? A Yes, they say she is a white woman.
Q Do you know when they were married? A No, I don't.
Q It has been several years ago, has it? A Yes, it has been several years ago. About eight or ten years since they were married, somewhere along there.
Q Have they been living together all that time? A Yes sir.
Q Right along? A Yes sir.
Q Have they any children? A None.
Q When did you see them last? A I guess I saw them about the first of September was the last I seen them.
Q How far do you live from them? A I live about eight or nine miles.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a full, true and correct transcript of his stenographic notes thereof.

B. V. Lott

Subscribed and sworn to before me this 14th day of November, 1903.

Samuel Lott
Notary Public.

2743

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CHIEF CIVILIAN JUDGES.

In the matter of the application for the enrollment of
James Still as a citizen by blood of the Cherokee Nation.

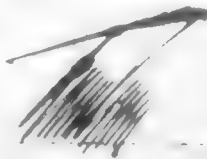
REPORT.

The record herein shows that on June 30, 1902, Emmet Starr appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of James Still and Marie Still as citizens of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, August 14, 1902, and November 17, 1903, in which it developed that Marie Still possessed no right to enrollment as a Cherokee citizen, since her intermarriage, and as the status of intermarried citizens is not at this time fixed, her rights will not now be passed upon.

The evidence herein shows that the applicant, James Still, is a Cherokee by blood, and continuously lived in the Cherokee Nation all his life, and is enrolled on the Cherokee authentic-ated tribal roll of 1880, and on the census roll of 1896.

It is, therefore, the opinion of the Commission that James Still should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved March 3, 1902 (30 Stat., 498), and it is so ordered.

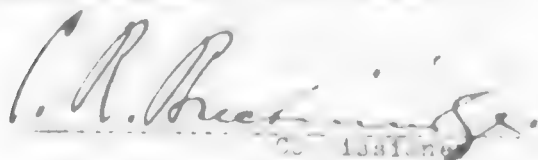
COMMISSION TO THE CHIEF CIVILIAN JUDGES.



Chairman



Commissioner



C. R. Buckner

Muskogee, Indian Territory,

FEB 24 1905

Cherokee D-1866.

Muskogee, Indian Territory, February 24, 1905.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of James Still as a citizen by blood of the Cherokee nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Encl. L-61.

W. W. Hastings,
Chairman.



Cher 10868

Walter Holland

Cher 10868

ABG® B 1902

—

R
Cher D 2024

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

Q What is your name ? A Emmet Starr.
Q What is your age ? A Thirty one years.
Q What is your post office address ? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation ?
A Yes sir, I am.
Q You are so recognized ? A Yes sir.
Q For whom do you desire to make application for enrollment ?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Walter Holland, page 179, # 2300, Cooweescoowee District;
Also on 1880 roll, page 769, # 1054, Tah. Dist.
Jennie Holland, page 308, # 482, Cooweescoowee District;
Note: "Lives in Joplin, Mo."

Q Are there any other persons for whom you desire to make appli-
cation for enrollment ?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. C. Bagwell

Subscribed and sworn to before me this August 5, 1902.

E. C. Bagwell
Notary Public.

52024

COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

JUL 25 1902

[Signature]
Acting Chairman

Notary Public.

[Signature]

Notary Public.

[Signature]

Notary Public.

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, July 23rd, 1902.

In the matter of the application of Walter Holland for the enrollment of himself and child, Francis L. Holland, as citizens by blood of the Cherokee nation and for the enrollment of his wife, Jennie Holland, as a citizen by intermarriage of the Cherokee nation.

Supplemental to D-2024.

On June 30th, 1902, application was made for the enrollment of Walter Holland and the members of his family and their names were placed upon a doubtful card, #2024, awaiting further evidence as to their citizenship.

The applicant this day appears and the following proceedings were had.

The Cherokee Nation appears by W. W. Hastings.

WALTER HOLLAND, being duly sworn, testified as follows:--

Examination by the Commission.

- Q. What is your name? A. Walter is my given name.
Q. Walter Holland? A. Yes, sir.
Q. How old are you? A. I was born in seventy-three.
Q. What is your post office address? A. Now?
Q. Yes. A. Groves.
Q. Indian Territory? A. Yes, sir.
Q. Are you a Cherokee by blood? A. Yes, sir.
Q. What degree of Cherokee blood do you claim? A. Half breed.
Q. What is the name of your wife? A. Why, her first name---
Legrand.
Q. Given name? A. Jennie.
Q. How old is she? A. Why, she was born in seventy-four.
Q. Is she living? A. Yes, sir.
Q. Is she a Cherokee or white woman? A. White woman.
Q. What is the name of your child? A. Francis Lee.
Q. Boy or girl? A. Boy.
Q. How old is that child? A. Born in 1897, January 13th.
Q. Is that child living? A. Yes, sir.
Q. Is it your child by your present wife Jennie? A. Yes, sir.
Q. What is the name of your father? A. He was a Holland.
Q. His full name? A. Hugh Holland.
Q. Is he living or dead? A. Living.
Q. Is he a Cherokee or white man? A. White man.
Q. What is the name of your mother? A. My mother. Her name was
Peggie Hatchet.
Q. Is she living or dead? A. Dead.
Q. Did she belong to Tahlequah district? A. Yes, sir.
Q. Was she a Cherokee? A. Yes, sir.
Q. What is the name of your wife's father? A. His name is
John Legrand.
Q. How do you spell it? A. L-e-g-r-a-n-d.
Q. Is he living or dead? A. Living.
Q. Cherokee or white man? A. White man.
Q. What is the name of your wife's mother? A. Hers is Lissie
Legrand.
Q. Is she living or dead? A. Living.
Q. Cherokee or white woman? A. White.

Q. Where were you born? A. Tahlequah district.
 Q. Did you live there continuously from the time of your birth?
 Q. Well, I been off to school several different places in the states.
 Q. How long after your birth before you left? A. Well, I left just after the payment.
 Q. In 1894? A. 1895.
 Q. The payment was in 1894. A. I know. 1894, yes, sir. I left in 1895. I went to Vinita and went to Groves. Went from Groves to Joplin. I was working at Joplin.
 Q. How long have you been in Joplin, Missouri? A. I have been there about a year, off and on.
 Q. Was that the only time you were ever out of the territory?
 A. Yes, sir. No, I went to Pennsylvania. I went to school there.
 Q. How long did you attend the Carlyle school? A. 2 years.
 Q. You were--- A. Government school.
 Q. With the exception of the time you were at school and when you were working at Joplin, is that the only time you have been out of the territory? A. Yes, sir.
 Q. Where was your wife born? A. Over in McDonald county, Missouri.
 Q. Have you lived with her continuously since your marriage?
 A. Yes, sir.
 Q. When were you married? A. 1894, September.
 Q. Have you any evidence of your marriage? A. Only a marriage certificate, that is all.
 Q. Have you that with you? A. No, sir.
 Q. Is the minister living? A. Yes, sir.
 Q. Didn't you get a marriage license and certificate? A. No, sir. I got a certificate from him.
 Q. Who married you? A. Carlan.
 Q. Where does he live? A. Vinita at that time.
 Q. Where does he live now? A. Monett.
 Q. Were you ever married before you married your present wife?
 A. No, sir.
 Q. Was she? A. No, sir; not that I know of.
 Q. Where was your child born? A. McDonald county.
 Q. How long had your wife been there before it was born?
 A. About 3 weeks.
 Q. How long did she continue to stay there? A. About 3 months, I guess.
 Q. Where were you? A. Groves station.
 Q. Do you own any property in the nation? A. Yes, sir.

The applicant is identified on the roll of 1880 in Tahlequah district, page 769, #1054, as Walter Holland, and on the census roll of 1896 in Cooweescoowee district, page 179, #2300, as Walter Holland. The applicant's wife is identified on the Cherokee census roll of 1896 in Cooweescoowee district, page 308, #482, as Jennie Holland, adopted white.

Examination by Mr. Hastings.

Q. What did you leave Groves last? A. I left Groves in---been about 3 years ago. I went to Fairland. I had charge of the news paper there.
 Q. How long has it been since you were up to Fairland? A. I was up there about two years.
 Q. Why didn't you apply for enrollment there? A. Why I wasn't in Fairland at the time.
 Q. Where were you? A. Down in Flint district. I was employed by this Missouri Lead and Zink Company.
 Q. Was that a Joplin corporation? A. Why, I don't know whether it is a Joplin corporation. The Missouri Lead and Zink Company is known all over the country.
 Q. Does it do business at Joplin? A. Yes, sir.

Q. Do business in the territory? A. No, not that I know of.
 Q. What were you doing down in Flint? A. Well, I come through that country; I am working for them--well, you may call it working, too--I was employed to look through that country for minerals, in case of future prospects; anything we can get hold of.
 Q. Why didn't you apply when we were down in Flint? A. I wasn't in Flint, I was back to Fairland.
 Q. Were you actually a bona fide resident of Groves at the time this child was born? A. Yes, sir.
 Q. Keeping house? A. Yes, sir.
 Q. Up to the time of the birth of this child had you ever worked or resided in Joplin? A. No, sir.
 Q. Aside from going to school in the states had you ever been out of the Cherokee nation for a months time prior to the birth of this child? A. I had been up to Fort Smith as a witness. That is all. Then over to school.
 Q. I say aside from being off to school. What did you say you were at Fort Smith for? A. As a witness.
 Q. I mean a month at a time? A. I don't remember. I don't remember about that month at a time.
 Q. I want to know whether you have ever resided out of the territory except to go to school? A. That is all that I know of, now.
 Q. You ought to know better than anybody? A. I don't remember.

BY THE COMMISSION:

Don't you know whether or not you ever lived out of the Cherokee nation? A. I never lived out of the Cherokee nation; I just been out.
 Q. Over a month at a time? A. No, not that I know of.
 Q. Don't you know? A. That is as I say, not that I know of. I lived in the Cherokee nation, except when going to school.

BY MR. HASTINGS:

How long after this child was born in 1897 before you went to Fairland? A. Just about a year. I left Groves--I was in business in Groves and left Groves and went to Fairland to take charge of this paper. Doc and Jim Holland was in the paper. Cale Starr is right here, he knows.
 Q. You went direct from Groves to Fairland? A. Yes, sir.
 Q. You remained at Fairland a couple of years? A. Yes, sir; stayed there for two years.
 Q. When did you leave fairland? A. I left Fairland, been a little over a year ago, I think. About 2 years. I don't remember the dates. I couldn't come out and tell the dates. I couldn't do it.
 Q. You are 29 years old. That is what I am trying to find out--just stop and think when you left with your family and went over to Joplin? A. I don't know. I couldn't tell you. Cale Starr knows about when I went, he was living at Groves. He knows as much about it as I do.
 Q. Nobody knows as much about my business as I do. You ought to know about this thing more than anybody else.

Examination by the Commission.

Q. Do you know when you left? A. Left in the fall.
 Q. When did you go there? A. Where?
 Q. To Fairland? A. I think it was 1898.
 Q. You continued to live there 3 years? A. 2 years.
 Q. Then where did you go? A. From Fairland I went to Joplin. Then I come back there to Fairland and my wife went to McDonald county. I went back to Fairland. When I moved from Fairland--that is all I didn't move exactly, I didn't have anything to move to amount to anything. I went to Joplin. I hired to this Lead and Zinc Company.
 Q. Did you ever keep house in the Cherokee nation? A. Yes, sir.

Q. Where are your household goods now? A. Part of them in the territory and part of them at Joplin.

Q. How long since you have been at Groves to live? A. Been a little over three years.

Q. You claim your post office is Groves. Where is your mail sent? A. Been getting it at Joplin.

Q. Is your wife there? A. No, sir; she is in McDonald county.

Q. When did she go there? A. Left Sunday evening.

Q. When did you leave? A. Saturday.

Q. As a matter of fact you are living in Joplin? A. No, sir; I don't consider I am living there. I have been living there.

Q. Are you keeping house there? A. Not any more.

Q. When did you break up? A. Saturday.

Q. Have you severed connections with that company? A. I am working for them. I am in the territory.

Q. They transferred you to the territory? A. No, sir; not that. I am a citizen of the territory.

Q. As a matter of fact you came to Muskogee from Joplin?

A. Why, yes. I came to Vinita and stayed there since Saturday morning then I came here last night.

Q. What property have you at Groves? A. The property I have is a farm.

Q. Who lives on it? A. No one just now.

Q. Is there a house on it? A. Yes, sir.

Q. Furnished? A. No, it is not furnished. No one is living on it just now.

Q. Have you got any household effect in the territory?

A. Yes, sir.

Q. What do they consist of. A. I have in Fairland, I have a dresser, bedstead--Well, pretty near all my furniture that I left when I went to Joplin is in the care of Mr. Wilson.

Q. Where did you live on the 28th day of January, 1898? A. I don't remember whether I was living--I think I was living at Fairland.

Q. Were you in the Cherokee nation? A. Yes, sir.

Q. Positive about that? A. Yes, sir.

Q. Had you been here continuously prior to that time with the exception of when you were at school? A. Continuously.

Q. Had you ever been out of the territory, except as a witness to Fort Smith, prior to January 28th, 1898? A. I say I believe I was in Fairland.

Q. When? A. In 1898.

Q. What time in 1898? A. I was living there at the time.

Q. What time in 1898? A. I don't remember. I have a letter that I got from the Commission in 1898 telling me to come to Muskogee January 9th.

Q. Where was the letter sent to? A. I was in Helena.

Q. How long had you been there? A. I hadn't been there 5 days when I received the letter. I wrote and received an answer. Then I went to Stilwell.

Examination by Mr. Hastings.

Q. Was your wife with you at Helena? A. No, sir; she was down on a visit to her people.

Q. You never kept house in the Cherokee nation after that time.

A. Yes, sir; I lived in the Cherokee nation after that time.

Q. Keeping house? A. Well, part of my household goods----

Q. Did you and your wife honestly live separate and keep house in the Cherokee nation since that time; separate from other people.

A. I have told you just what I remember, what I know. That is all.

Examination by the Commission.

Q. Have you boarded or kept house? A. I never boarded in the Cherokee nation. What time I was down to Fairland I boarded part of the time and part of the time I didn't. I was at Mr.

Wilson's. I stayed there whatever time I wanted to. I had my household goods there.

Examination by Mr. Hastings.

- Q. What Wilson? A. Bob Wilson.
Q. Where does he live? A. At Fairland.
Q. Have you any other property besides this farm at Groves?
A. Then I have a place on the Verdigris river and the one at Groves.
Q. How much land under cultivation? A. 80 or 90 acres under cultivation.
Q. Well, it isn't rented. A. No, sir; I intended to go on it myself.
Q. Do you say Cale Starr knows about this? A. Well, he knows me.

Examination by the Commission.

- Q. It will be necessary that you furnish the commission with a marriage certificate or bring in two witnesses who saw ~~you~~ the marriage ceremony performed, to establish the right of your wife to enroll.
A. Those witnesses are in Vinita. Will it be necessary to ~~make~~ make affidavits.
Q. No, sir; to bring them in personally. A. I can never do it. I can't do it financially.
Q. Where is the minister? A. He is in Monett.
Q. Can you write him for a certificate. Write to him for a certificate and send it to the Commission.

J. C. STARR, being duly sworn, testified as follows: --

Examination by Mr. Hastings.

- Q. What is your name? A. J. C. Starr.
Q. What is your post office? A. Vinita, I. T.
Q. What is your age? A. 32 years.
Q. Did you ever live over to Groves? A. Yes, sir.
Q. When did you leave Groves? A. I left Groves in January, 1898.
Q. Your old home was within two or three miles of Groves?
A. Yes, sir.
Q. You were in business there before 1898? A. Yes, sir; from 1894 until 1898.
Q. Do you know the applicant, Walter Holland? A. Yes, sir.
Q. Did you know him at Groves? A. Yes, sir.
Q. Was he in business there? A. What was he doing? A. He was in some kind of business there in 1896, I believe it was.
Q. Was he married then? A. I don't know for sure.
Q. When did he leave over there, do you know? A. I saw him around in the country over there in 1897, I think.
Q. Do you know where he went from Groves? A. He was around Fairland after he left Groves.
Q. What was he doing up about Fairland? A. I don't know exactly what he was doing.
Q. Do you know whether he had a wife up there or not? A. No, sir, I don't.
Q. Do you know when he left Fairland? A. I didn't see him any more after 1897. I don't know where he went to. That is I don't remember seeing him after that.
Q. You don't know anything about his marriage? A. No, sir.
Q. Do you know where he resides at present? A. Nothing only what he told me himself.
Q. What was that? A. That he was living in Joplin, Missouri.
Q. You don't know how long he lived there? A. No, sir.

By the Commission:

It will be necessary that the application furnish the Commission with a duly executed affidavit of the birth of this child, Francis L. Holland, who is not identified on the rolls of the Cherokee nation

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this 24th day of July, 1902.

Bruce C. Jones
Notary Public.

D2024

IN RE

Application for Enrollment of

INFANT CHILD

Francis L. Holland

AS CITIZEN OF

Ohio

Nation

Approved.

1902

RECORDED

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

I, *Francis L Holland*, a citizen of the *Leher* Nation,
born on the *13* day of *Jan*, 1897
Name of Father *Walter Holland*, a citizen of the *Leher* Nation.
Name of Mother *Jennie Holland*, a citizen of the *Leher* Nation.
Post office *Yove L J*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, *State of Missouri*
INDIAN TERRITORY *Washington County*
District *Washington County*
I, *Jennie Holland*, on oath state that I am *28*
years of age and a citizen, by *adoption* of the *Leher* Nation;
that I am the lawful wife of *Walter Holland*, who is a citizen, by
blood of the *Leher* Nation; that a *male* child was
born to me on the *13* day of *Jan*, 1897; that said child has been
named *Francis L Holland*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)
Lissie Egrand
May Egrand

Subscribed and sworn to before me this *25* day of *August*, 1902

My Commission
Expires July 12, 1905

John W. C. Osborn

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, *State of Missouri*
INDIAN TERRITORY *Washington County*
District *Washington County*
I, *Lissie Egrand*, midwife, on oath state that I
attended on Mrs. *Jennie Holland*, wife of *Walter Holland*,
on the *13* day of *Jan*, 1897; that there was born to her on
said date a *male* child; that said child is now living and is said to have been
named *Francis L Holland*.

WITNESSES TO MARK

(Must be Two Witnesses)
May Egrand
Walter Holland

Lissie Egrand

Subscribed and sworn to before me this *25* day of *August*, 1902

My Commission
Expires July 12, 1905

John W. C. Osborn

NOTARY PUBLIC

Memorandum 1-2024.

R.71B

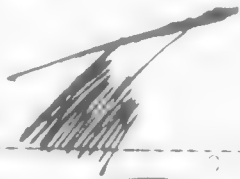
In the matter of the application of Walter L. Holland, et al., for enrollment as citizens of the Cherokee Nation, et al.

The record herein shows that on June 10, 1890, Walter L. Holland, et al., filed an application for enrollment as citizens of the Cherokee Nation. Further proceedings in the matter of said application were had to the effect that on July 23, 1890, in which it developed that the said Jennie Holland possessed no rights to enrollment as a Cherokee citizen, except as intermarried, and as the status of intermarried citizens is not at this time fixed, no rights to enrollment as citizens of the Cherokee Nation will not now be passed upon.

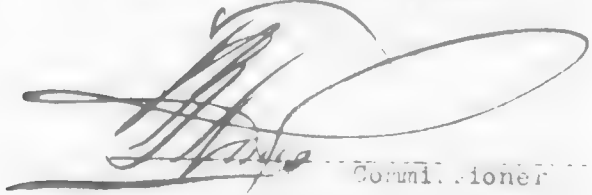
The evidence herein shows that the principal applicant, Walter L. Holland, is a Cherokee by blood, and, except as below noted, continuously lived in the Cherokee Nation all his life, and is duly identified on the Cherokee authenticated tribal roll of 1890, and the Cherokee census roll of 1896. It appears that during the interval between the fall of 1890 and summer of 1900, the said Walter L. Holland resided, during part of the time, at Coplin, Missouri, and it is further shown that during this interval said principal applicant owned valuable property in the Cherokee Nation, it is not considered that his right to citizenship is in any way affected thereby. The minor applicant, Francis L. Holland, is a child of the principal applicant, Walter L. Holland, and continuously lived with him in the Cherokee Nation, and is duly identified by birth affidavit as being the son of said Walter L. Holland.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Joseph D. Fearnin, et al., (I.D.N. 1900-1903), Walter Hollingsworth and Francis L. Hollingsworth be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section Twenty-one of the Act of Congress, approved June 25, 1906 (34 Stat., 495), and it is so ordered.

WITNESSED my hand and the seal of this Commission at



J. H. Hollingsworth



Commissioner



Commissioner

uskotaw, Indian Territory,

FEB 24 1905

COPY

Cherokee D-2024.

Muskogee, Indian Territory, February 24, 1906.

W. T. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1906, granting the application for the enrollment of Walter Holland and his minor child, Francis T. Holland, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Encl. 1-62.

SIGNED, *Tams Bixby*
Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

CAB
11

Muskogee, Indian Territory, February 23, 1907

Special

Walter Holland,
Stilwell, Indian Territory.

Dear Sir:

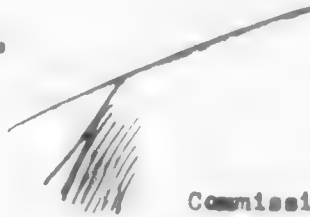
The Commissioner sent you this day a telegram as follows:

"Replying your telegram forward immediately affidavits referred to."

The Act of Congress approved April 26, 1906, provides that the Secretary of the Interior shall have no jurisdiction to approve the enrollment of any person as a citizen of the Cherokee Nation after March 4, 1907.

This matter, therefore, demands your immediate attention.

Respectfully,

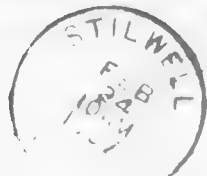


Commissioner.

WMP

THE COMMISSION TO THE FREE CHURCH

1844



Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOCOE, IND. TER.



Walter Holland,

Stillwell, Indian Territory.

Cher 10869
Ned Pickup

Cher 10869

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Herein is the record in the matter of the application
for the enrollment as a citizen by blood of the Cherokee Nation
of:

Red Pickup ~~et al~~, Cherokee D-2074.

Julia " " "

Gundecky Tag " " "

Webster Hully " " "

R
Chas D 2074

Department of the Interior,
Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name ? A Emmet Starr.
Q What is your age ? A Thirty one years.
Q What is your post office address ? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation ?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment ?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Ned Pickup, page 1011, # 920, Saline District;
Also on 1880 roll, page 632, # 432, Saline District, as Ned
Fixen; Note: "Ned Pickup".

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment ?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

R. C. Dagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

R. C. Dagwell
Subscribed and sworn to before me this August 5, 1902.

[Signature]
Notary Public.

R
Cher D ~~2074~~
2074

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES HUBBETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Muskogee, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Gun-deck-ky Hully #589 Saline District

Note: No. 1 also appears on 1896 roll as Gun-deck-ky Tah.

Webster Huly #591 Saline District.

Q Are there any other persons for whom you desire to make appli-
cation for enrollment?

A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

P. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

P. C. Bagwell

Subscribed and sworn to before me this December 9, 1902.

B. O. Jones
Notary Public.

R.

Cher. D-2074.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 11, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS IN the matter of the enrollment of NED PICKUP as a citizen by blood of the Cherokee Nation.

TAYLOR BUCK, being first duly sworn, and being examined, testified as follows, through sworn interpreter S. R. Walkingstick:

BY COMMISSION: Your name is Taylor Buck? A Yes sir.

Q You are thirty-one years of age, and your post office address is Spavinaw, Indian Territory? A Yes sir.

Q You are a recognized citizen by blood of the Cherokee Nation?

A Yes sir.

Q Do you know Ned Pickup? A Yes sir.

Q What is his post office address? A Spavinaw, I think.

Q Does he reside in Saline District? A Yes sir.

Q Is he a recognized citizen by blood of the Cherokee Nation?

A Yes sir.

Q Is he a Cherokee full blood? A Yes sir.

Q According to his age as given on the 1896 roll, he would be now thirty-one years of age. Do you think that is about right?

A Yes, that is about right.

Q How long have you known Ned Pickup? A I have known him quite a while, about twenty years, I guess.

Q Has he resided in the Cherokee Nation continuously during that time? A Yes sir.

Q Do you know the name of the father of Ned Pickup? A Dick Pickup.

Q Is he living? A Yes sir.

Q Is he a Cherokee by blood? A Yes sir.

Q Do you know the name of the mother of Ned Pickup? A Jennie Pickup.

Q Is she living? A She is dead.

Q Was she a Cherokee by blood? A Yes sir.

Q Is Ned Pickup married? A Yes, I understand that he has two wives, as far as that is concerned. He kept two wives until just a short time ago, and he was arrested for that and taken to Vinita, and was informed there before the Commissioner that he would have to dispense with one of his wives, and make his selection, and he selected this Julia Hully, the widow of Rider Hully, but when he returned, it seemed that he still keeps both of them.

Q Did he acknowledge to the court at Vinita that Julia Hully was his wife? A Yes sir.

Q She is recognized in the neighborhood as his wife? A I think so. He made that promise, and I think he considers Julia as his wife.

Q The 1896 census roll of citizens of the Cherokee Nation shows that Julia Hully, or Julia Pickup, would be now about twenty-eight years old. Do you think that is correct? A Yes sir, that is about right.

Q Is Julia Pickup a full blood Cherokee? A Yes sir.

Q Is she a recognized citizen of the Cherokee Nation? A Yes sir.

Q How long have you known her? A I have known her about eight years.

Q Has she resided in the Cherokee Nation continuously during that time? A Yes sir.

Q Do you know the name of her father? A I don't remember the name, except the surname. His surname was Snake.

Q Is he living? A I remember the name now. His full name was Rattlesnake Snake, and I think he is dead.

Q Was he a Cherokee by blood? A Yes sir.
 Q Do you know the name of the mother of R Julia Pickup?
 A Peggy Smoke.
 Q Is she living? A Yes sir, in Saline District.
 Q Has Julia Pickup any children? A Yes sir, she has two children, a girl and a boy.
 Q Do you know the names of those children? A The girl's name is Gun-deck-ky Hully, the father of that girl is John Tag.
 Q Is that girl living? A Yes sir.
 Q The 1896 roll shows that that child would be now about twelve years old, do you think that is correct? A That is about correct.
 Q What is the name of the younger child of Julia Pickup?
 A I am not able to say, I don't know.
 Q You say that the present wife of Ned Pickup was formerly the wife of Rider Hully? A Yes sir.
 Q Is Rider Hully living? A No sir.
 Q The 1896 census roll of citizens shows that there were enrolled with Rider Hully and Julia Hully the children Gun-deck-ky and Webster Hully, aged at that time six and one years respectively. Do you think the younger child enrolled with Julia and Rider Hully in 1896 is the child now living with Julia Pickup? A I think that must be the one. I think he was living in 1896.
 Q Would the child now be about seven years old? A Yes sir.
 Q That child is a male? A Yes sir.
 Q Is John Tag living? A Yes sir.
 Q Do you know the name of the father of Julia Pickup's youngest child? A I understand the father of that child is Rider Hully.
 Q That is Julia Pickup's former husband? A Yes sir.
 Q He was a Cherokee by blood, was he? A Yes sir.
 Q Are Gundeckky Tag and Webster Hully full blood Cherokees?
 A Yes sir.
 Q They are both living now, are they? A Yes sir.

1896 census roll of citizens of the Cherokee Nation examined, and the names of Julia Pickup and her children Gundeckky Tag and Webster Hully identified thereon as follows:

Page 997, #588, Julia Hully, Saline District.

Page 997, #589, Gun-deck-ky Hully, Saline District, age 6.

Page 997, #591, Webster Hully, Saline District, age 1.

Q Was Ned Pickup ever known as Ned Fixen? A No sir, not that I know of.

HENRY C. ROSS, being first duly sworn, and being examined, testified as follows:

Q What is your name? A H. C. Ross.
 Q How old are you? A Fifty-three.
 Q What is your post office address? A Locust Grove, I. T.
 Q You are a recognized citizen by blood of the Cherokee Nation?
 A Yes sir.
 Q Do you know Ned Pickup? A Yes sir.
 Q Is he sometimes known by the name of Ned Fixen? A Yes sir, he sometimes goes by that name. I have heard him called that.

1880 authenticated roll of citizens of the Cherokee Nation examined, and applicant identified as follows:

Page 632, #432, Ned Fixen, Saline District, age 9.

1896 census roll of citizens of the Cherokee Nation examined,
and applicants identified as follows:

Page 1011, #920, Ned Pickup, Saline District, age 25.

Wm. Hutchinson, being first duly sworn, states that as stenographer
to the Commission to the Five Civilized Tribes, he correctly recorded
the testimony and proceedings in this case, and that the foregoing is
a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 18th day of August, 1902.

John H. Ross
Notary Public.

Cherokee 1-2074.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ned Pickup, Julia Pickup, Gundeckky Tag and Webster Hully, as citizens by blood of the Cherokee Nation.

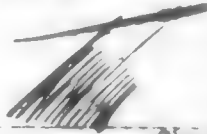
-: D E C I S I O N :-

The record herein shows that on June 30, 1902, Emmet Starr appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of Ned Pickup, Gundeckky Hully (Tag), and Webster Hully, their families and descendants, as citizens by blood of the Cherokee Nation. The record further shows that said application includes, as a part of the family of Ned Pickup, his wife, Julia Pickup.

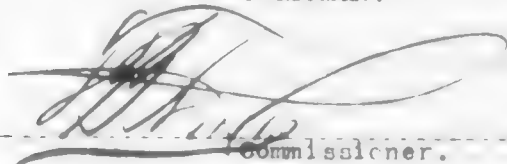
The evidence shows that all the applicants herein are full blood Cherokees, are bona fide residents of the Cherokee Nation, and are duly identified on the Cherokee census roll of 1896. The applicant, Ned Pickup, is also identified on the Cherokee authenticated tribal roll of 1880, as "Ned Fixen."

It is, therefore, the opinion of this Commission that Ned Pickup, Julia Pickup, Gundeckky Tag and Webster Hully, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory.

FEB 24 1905

Department of the Interior
Commissioner to the Five Civilized Tribes
Cherokee Land Office
Tahlequah, I. T., September 9, 1905.

In the matter of the application for the enrollment of Ned Pickup, his wife Julia and step-children, Gundeckky Tag and Webster Hully, No. 10869, as citizens by blood of the Cherokee Nation.

SIMON PICKUP, appearing in person before the Cherokee Land Office, of the Commissioner to the Five Civilized Tribes, and being first duly sworn by Joe Chambers, a Notary Public, and examined through Jack Wofford, official interpreter, testified as follows:

- Q What is your name? A Simon Pickup.
Q How old are you? A 25.
Q What is your postoffice? A Spavinaw.
Q Are you a Cherokee by blood? A Yes sir.
Q What is the name of your father? A Dick Pickup.
Q And your mother? A Peggy.
Q Did you used to have a wife named Sally? A Yes sir.
Q Have you and she separated? A Yes.
Q Did you marry again? A Yes sir.
Q What is the name of your wife now? A Well her name was Emma.
Q Did she used to be the wife of Ned Pickup? A Yes sir.
Q What is the name of her father? A Rattlesnake Smoke.
Q What is the name of her mother? A Peggy.
Q When were you married? A July.
Q What year? A 1905.
Q What day? A 17th, I think, I am not sure.
Q Did they ever call her Julia Pickup? A Yes sir.
Q Are you and she living together now? A Yes sir.

James B. Myers, being first duly sworn, states, that as stenographer to the Commissioner to the Five Civilized Tribes, he recorded the testimony in the foregoing proceedings, and that the above is a true, and correct transcript of his stenographic notes thereof.

James B. Myers

Subscribed and sworn to before me, this 9th day of September, 1905.

William C. Orr
Notary Public.

COPY.

Cherokee D-2071.

Muskogee, Indian Territory, February 24, 1908.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1908, granting the application for the enrollment of Ned and Julia Pick-up, Gundeckky Tag, and Webster Hully, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Encl. L-63.

(SIGNED)

Tamo Dixby.
Chairman.

COMMISSIONERS

TAMM BIXBY.

THOMAS B. HERRICK

C. B. BRACKENRIDGE

WM. O. BEATTY,
Secretary.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

NOTE TO APPLY TO THE FOLLOWING:
Cherokee D-2074.

Muskogee, Indian Territory, March 16, 1905.

Ned Pickup,

Spavinaw, Indian Territory.

Dear Sir:

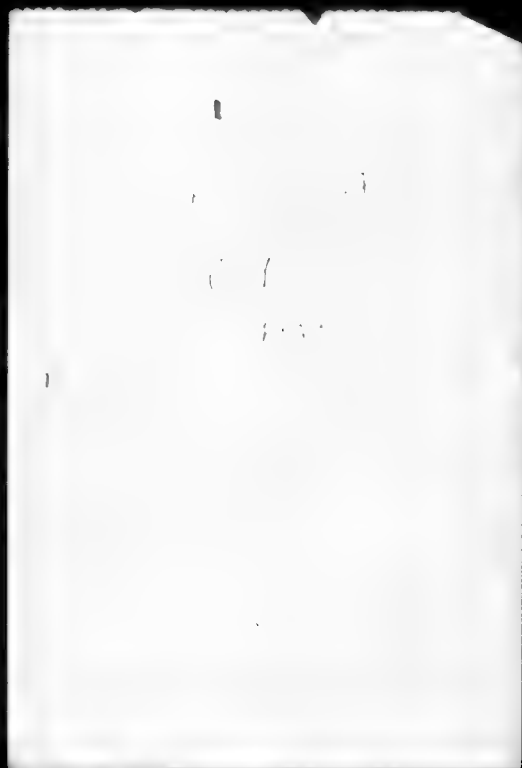
There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of yourself, your wife Julia Pickup, and your stepchildren, Gundeckky Tag and Webster Hully, as citizens by blood of the Cherokee Nation.

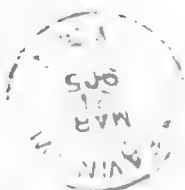
You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-15.

Chairman.





to D. 2074

*Returned
Postage*

SPAVIN, W.
APR
13
1905
IND.

Department of the Interior.

Commissioner to the Five Civilized Tribes

MUSKOGEE, IND.

OFFICIAL BUSINESS

Penalty for private use, \$300.

Cher 10870

John P. Davis

Cher 10870

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 45 1900

ACTING CHAIRMAN

RECEIVED OCT 11 1900

[Handwritten signature]

RECEIVED

[Faint, mostly illegible handwritten text, possibly a letter or report]

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T., October 15, 1900.

In the matter of the application of John P. Davis for the enrollment of himself and children as Cherokees by blood and his wife as a Cherokee by intermarriage; being sworn and examined by Commissioner Needles, he testified as follows:

- Q What is your name? A John P. Davis.
Q What is your age? A 31.
Q What district do you live in? A Cooweescoowee.
Q What is your post office address? A Pryor Creek.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir, by blood.
Q What degree of blood do you claim? A About 1/16.
Q For whom do you apply for enrollment? A Myself, wife and two children.
Q What is your father's name? A Charley Davis.
Q Is he living? A No, sir.
Q What is your mother's name? A Dora.
Q She living? A No, sir.
Q What is your wife's name? A Gracia Davis.
Q She a citizen by blood? A No, sir.
Q When were you married to her? A In 1894.
Q Have you any certificate of marriage? A Yes, sir.
Q What are the names of your children? A Gertrude, she is 5 years old, six years old this coming month.
Q What is the name of the next one? A Pluma, she is 2 years old and past.
Q Any others? A No, sir.
Q These children alive and living with you at this time? A Yes, sir.
Q Have you any proof of birth as to this youngest child? A No, sir.
Q How long have you lived in the Cherokee Nation? A Born and raised here.
Q Did you ever go by any other name? A John Davis was the name I always went by.
Q Your name isn't on the roll of 1880, you will have to bring proof that you are a Cherokee.
(John P. Davis on 1896 roll, page 142, No. 1284, John Davis, Cooweescoowee district. Gracia Davis on 1896 roll, page 301, No. 281, Grace Davis, Cooweescoowee district. Gertrude Davis on 1896 roll, page 142, No. 1285, Cooweescoowee district.)
Q Did you draw strip money in 1894? A Yes, sir, I drew strip money and drew old settler's money.
Q Who drew that money for you? A I drew it myself at Vinita.
(On 1894 roll, page 170, No. 1174, John Davis, Cooweescoowee dist.)
Q Have you always lived in the Cherokee Nation? A Yes, sir.
Q Live here now? A Yes, sir.
Q Gracia your first wife? A Yes, sir.
Q You her first husband? A Yes, sir.
Q You are living together now? A Yes, sir.

The name of John P. Davis appears upon the census roll of 1896. He presents satisfactory proof of his marriage to one Gracia Washam, a non citizen, in the year 1894, and the name of his wife appears upon the census roll of 1896. The name of his child, Gertrude, appears upon the census roll of 1896. The name of John P. Davis is also found upon the pay roll of 1896, but his name cannot be found upon the authenticated roll of 1880. He avers that he was an orphan at that time. Having made satisfactory proof of his residence, and being duly identified as the identical John P. Davis who appears upon the census roll of 1896 and the pay roll of 1894, final judgment as to the enrollment of said John P. Davis as a Cherokee citizen by blood, and his wife, Gracia, as a Cherokee citizen by intermarriage, and his children Gertrude and Pluma, will be suspended and their

Commissioner
John P. Davis et al - 2.

names will be placed upon a doubtful card, he and his children are
Cherokees by blood, and his wife, as a Cherokee by intermarriage.
In order to complete the enrollment of his youngest child, Pluma,
it will be necessary for him to present satisfactory proof of its
birth.

Bruce G. Jones, being duly sworn, says that as stenographer to
the Commission to the Five Civilized Tribes he correctly recorded the
proceedings and testimony in the above case, and the foregoing is a
true and complete transcript of his stenographic notes thereof.

Bruce G. Jones

Sworn to and subscribed before me this the 15th of October, 1900.

J. P. Davis

Commissioner.

~~XXXX~~
D 10870
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 15 1900

~~XXXX~~
ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date Oct 15 1900 1900.

Name John P. Davis

District COOWEESCOOWEE.

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law

License

Wife's name Grace Davis

District COOWEESCOOWEE.

Citizen by blood no Mother's citizenship

Intermarried citizen

Married under what law

License

Names of Children:

3. Leitrade Davis
4. Phema

| Dist. | Year | Page | No. | Age |
|----------------|------|------|-----|-----|
| COOWEESCOOWEE. | 1896 | 142 | 135 | 5 |
| COOWEESCOOWEE. | | | | 2 |
| Dist. | Year | Page | No. | Age |
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| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |

- 1 on 1896 and 1897
- 2 " " " "
- 4 Birth appearance requiring

Satisfactory proof of citizenship to be supplied

0577

2577

20

IN RE

Application for Enrollment of

INFANT CHILD

Phema Davis

as a citizen of the

Cherokee

Nation.

Approved,

FEB 28 1901

190

[Signature]

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of _____, born on the _____ day of _____, 18__
Name of Father: _____, a citizen of the _____ Nation.
Name of Mother: _____, a citizen of the _____ Nation.
Post-office, _____

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District, _____

I, _____, on oath state that I am _____
years of age and a citizen, by adoption, of the Cherokee Nation;
that I am the lawful wife of _____, who is a citizen, by
blood, of the Cherokee Nation; that a _____ child was
(male or female)
born to me on the _____ day of _____, 18__; that said child has been
named _____, and is now living.

WITNESSES TO MARK.

(Must be Two
Witnesses.)

Subscribed and sworn to before me this _____ day of _____, 1900.

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
State of Kansas District, _____
Pueblo County

I, Eva C. Glasgow, a Midwife, on oath state that I
attended on Mrs. Gracie Davis, wife of John O. Davis,
on the 19th day of May, 1898; that there was born to her on
said date a female child; that said child is now living and is said to have been
named Pluma Davis.

WITNESSES TO MARK:

(Must be Two
Witnesses.)

Subscribed and sworn to before me this _____ day of January, 1901.

By Commission expires _____ 1902

NOTARY PUBLIC

SUPPLEMENTAL TESTIMONY., "D" #577.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE SAME CIVILIZED TRIBES.
MEMPHIS, I. T., FEBRUARY 28th, 1901.

IN THE MATTER OF THE APPLICATION OF John B. Davis - Supplemental -
Case "D" #577.

Joe Wafford, being sworn and examined by Commissioner, T. B. Needles testified as follows:

- Q What is your name? A Joe Wafford.
Q What is your age? A I am forty six.
Q What is your Postoffice? A Rex.
Q Are you a citizen of the Cherokee nation? A Yes, sir.
Q Do you know John P. Davis? A Yes, sir.

By John P. Davis: I want to prove that I was here in the year of '80 and I am a Cherokee citizen by blood; I can not be found on the '80 Roll.

Commissioner T. B. Needles:

- Q Mr. Wafford, ~~how~~ how long have you known John P. Davis?
A All his life.
Q What is his father's name? A Charley Davis.
Q Is he living? A No, sir.
Q What was his mother's name? A Dora Shelton was her maiden name.
Q Is she living? A ~~Yes~~ No, sir.
Q Was she a Cherokee by blood? A Yes, sir.
Q His name is not found on the roll of 1880; do you know why it is not there? A No, sir, I don't.
Q His father and mother are both dead, are they? A Yes, sir.
Q You say you have known this man ever since he was born?
A I have known him all his life.
Q Has he always lived in the Cherokee nation? A Yes, sir, he was raised in the Cherokee nation.
Q What degree of Cherokee blood has he, do you know?
A No, sir, I do not.
Q Was his father a white man or Cherokee? A Cherokee.
Q Was his mother a white woman or a Cherokee? A She was a Cherokee.
Q Is your wife a sister to John P. Davis? A Yes, sir.
Q Full sister? A Yes, sir.
Q Is she younger or older than he? A Younger.
Q Is her name on the roll of 1880? A Yes, sir.
Q Were they living together when they were children? A Yes, they lived together; they lived with an uncle at Tahlequah a while and then went to the orphan asylum.
Q Both went to school at the orphan asylum? A Yes, sir.
Q How much older is your wife than he? A I believe she's two years younger, as well as I recollect.
Q What is your wife's name? A Nannie Davis was her name.
Q Who was your wife living with about '80? A I don't remember who she was living with.

Commissioner T. B. Needles to John P. Davis:

- Q Is Nancy or Nannie a full sister of your's? A Yes, sir.
A And Elizabeth? A She's a full sister; that is all of us; Lizzie died at the orphan asylum.

Com'r. T. B. Needles: Upon an examination of the Rolls of the Cherokee Nation the applicant's full sisters, Elizabeth and Nannie Davis are found on the Roll of 1880; his uncle Albert Davis and his cousin Dora Davis are also found upon the authenticated roll of 1880.

JON WARENT, rec'd, testified:

Com'r. T. B. Needles:

- Q Have you known him for the last twenty years? A Yes, sir.
Q Do you know that he has lived in the Cherokee Nation continuously since 1880 all the time? A He has been here ~~principally~~ the principal of the time; he took a little jaunt out to Colorado a while ago.
Q That was since he was grown? A Yes, sir.
Q Do you know his father and mother were citizens? A Yes, sir.
Q And that he is living in the Cherokee nation? A Yes, sir.

HARRIS Sisson, being sworn and examined by Commissioner, T. B. Needles testified as follows:

- Q What is your name? A Harris Sisson.
Q How old are you? A Forty one.
Q What district do you live in? A Illinois.
Q What is your Postoffice? A Whybark.
Q Do you know John P. Davis? A Yes, sir.
Q How long have you known him? A About twenty years I guess.
Q Did you know his father and mother? A Yes, sir.
Q Were they Cherokee citizens? A Yes, sir.
Q His name is not on the roll of 1880; do you know why? A No, sir I do not; he was in the country at that time.
Q Do you know where he was born? A No, sir, I do not.
Q How old was he when you first knew him? A He was about eight or ten years old, I guess.
Q His father was a Cherokee citizen by blood? A Yes, sir and his mother too.
Q His father is not living now? A No, sir.

By Mr. V. W. Hastings, Cherokee Representative:

- Q Where were you born? A At Ft. Gibson on the Verdi Gris.
Q In the Cherokee nation? A Yes, sir.
Q Have you always lived in the Cherokee Nation? A Yes, sir., always lived in the Cherokee nation.
Q Your mother's name was Dora? A Yes, sir.
Q What was her maiden name? A Stelton.
Q Was she a Cherokee by blood? A Yes, sir.
Q Was your father a Cherokee? A Yes, sir.
Q How many brothers have you? A I had two sisters and one brother, but my brother died when he was three or four days old.
Q Is this sister a full sister of your's? A Yes, sir.
Q Same father and same mother? A Yes, sir.
Q Now what is her present name? A Nannie Wafford.
Q What is her Postoffice? A Corretta.
Q Have your rights in the Cherokee Nation ever been disputed? A No, sir, I have drawn any time any money was paid out, and I don't see why I missed the '80 Roll.
Q You have lived here all your life? A Yes, sir., I was took to the asylum in the Spring of 1882.
Q Where have you been living for the last four or five years? A Part of the time at Casey and eighteen months I was out in Colorado.

Commissioner T. B. Needles:

- Q Were you living in Colorado with your family? A No, sir, my family came out there and came back when I came back.
Q How long did you live in Colorado? A I never did live there; I was out there about fifteen months.
Q Did you keep house out there? A No, sir, my furniture and things was here in the Cherokee Nation.

SUPPLEMENTAL TESTIMONY. "D" #577.

---3---

Q What were you doing there? A Working in the roller mills.
Q Was that the first time you had ever been out of the Cherokee Nation?
A The first time I had ever been out of the Cherokee Nation in my life.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 28th day of February, A. D., 1901.



COMMISSIONER.

"R"

Cherokee P 577

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 5, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of John P. Davis for the enrollment of himself, wife and children as Cherokee citizens.

Appearances:

Applicant in person, and by attorney, J. Howard Langley,
of Pryor Creek, Indian Territory;
W.W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 13, 1902, that his application for the enrollment of himself, wife and children as citizens of the Cherokee Nation would be taken up by the Commission at its offices in Muskogee, Indian Territory on the 5th day of March, 1902; the applicant this day, to-wit: the 5th day of March, 1902, appears in person and by his attorney, J. Howard Langley, Pryor Creek, I. T.

JOHN P. DAVIS, the applicant, re-called by the Cherokee Nation for additional cross-examination, and being sworn and examined testified as follows:

BY MR. HASTINGS:

- Q What is your name? A John P. Davis.
Q John was notice sent you to appear here to-day? A Yes sir.
Q How many did you get? A Two.
Q Who did you get them from? A Got one from W.W. Hastings and got one from Starr.
Q Did you get one from the Dawes Commission? A Yes sir.
Q Where did you receive them? A Laramie City, Wyoming.
Q When? A On the 22nd ~~xx~~ and the 23rd day of February.
Q Have you some children? A Yes sir.
Q How many? A Two.
Q You applied for those two children before? A Yes sir.
Q How old is the oldest one? A She is seven years old the 21st day of last October.
Q Where are these children? A They are in Wyoming.
Q You applied for a wife when you appeared before the Commission before? A Yes sir.
Q What was her name? A Grace Watts, Grace Davis now.
Q She the mother of these two children? A Yes sir.
Q You were married to her? A Yes sir.
Q Are you and she living together now? A No sir.
Q She is a white woman? A Yes sir.
Q Neither of you had ever been married before? A No sir.
Q How long have you been separated? A Well something over a year; a year last November.
Q Where were you living when she separated from you? A In Collinsville, Indian Territory.
Q What was the cause of the separation? A I couldn't tell you hardly, what was the cause of it.
Q Did she leave you or you her? A She left me.
Q What about the children? A ~~six children the children~~ I kept the children, the children stayed with me.
Q How old was the oldest one? A She was something over two years old at that time; she will be four years old this coming May.
Q She left the two children with you? A Yes sir.
Q Just quit you? A Yes sir, went away.
Q You know where she is living now? A Why not exactly; she was here - possibly in Wagoner.
Q In Muskogee? A And Muskogee, yes sir.
Q You are not living together now? A No sir.

Q Neither sued the other for a divorce? A No sir.
 Q How long have you been in Wyoming? A I have been in Wyoming since the 9th day of last June, I went to work on last June.
 Q June 1901? A Yes sir, last year.

BY MR. LANGLEY:

Q Mr. Davis, I believe in your testimony upon your original application for enrollment to this Commission you stated that you were born in the year 1873? A Near about that time, yes.

Q Under the Cherokee law when would you have become of age, or in common parlance when would you have become your own man?

A 18 I suppose.

Q That would make you of age in 1891 wouldn't it, Mr. Davis?

A Yes, I suppose it would.

Q Did you own any property in the Cherokee Nation in 1891? A Yes sir

Q What property did you own? A I owned a farm known as the Brown place now, at that time.

Q When was the first time you ~~acquired~~ quit, left or moved out of the limits of the Cherokee Nation after 1891, if you remember?

A Why it was in the summer after the old settler payment, '95 I suppose, somewhere along there. I think that was in '95, it was after the payment at Fort Gibson.

Q Where did you go to then? A Me: I went to Colorado Springs.

Q Where is that? A Colorado.

Q Did you have any property in the Cherokee Nation when you left at that time? A Yes sir.

Q What property did you leave? A I left my farm on the Caney river.

Q Was it in the possession of a tenant? A Yes sir.

Q Did you receive the rent from that farm during your absence?

A Yes sir.

Q Have you owned property, a farm in the Cherokee Nation during all the time of your absence since 1891? A Yes sir.

Q In the possession of a tenant? A Yes sir.

Q And received rents from that farm? A Yes sir.

Q Do you own a farm in the Cherokee Nation now? A Yes sir.

Q In the possession of a tenant? A Yes sir.

Q Do you receive rents from that farm? A Yes sir.

Q Where is it? A Two miles west of Pryor Creek Station.

Q Do you own any property in Wyoming, your present post-office address, or your post-office address at the time this notice was sent to you? A No sir.

Q Do you own a residence? A No sir.

Q What is the nature of your occupation there? A I am working there for the Colorado Fuel and Iron Company, in the rolling mills.

Q Have you exercised the elective franchise or cast a vote in any state or government outside of the Cherokee Nation? A No sir.

Q Have you ever or do you now own any property outside of the Cherokee Nation? A No sir, not even a bed blanket.

Q Do you board in Wyoming where you are now? A Yes sir, I do, yes sir, board myself and children.

MR. HASTINGS waives cross examination.

BY COMMISSION: The attorney for the applicant and the representative of the Cherokee Nation present submit the case and same is ordered closed and reported to the Commission for final decision based upon the evidence now of record. The attorney for the applicant requests and will be granted ten days in which to file a brief in the case, one copy with the Commission and one copy with the representatives of the Cherokee Nation.

I, W.D. Green, ~~hereby~~ do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes.

Cherokee D 577

11.7.1901
4-11

AA

IN THE MATTER OF THE APPLICATION FOR THE ENROLLMENT OF

In the matter of the application for the enrollment of
John P. Davis, et al., as citizens by blood of the Cherokee Nation.

DECISION.

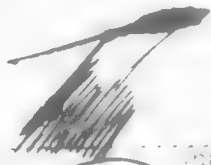
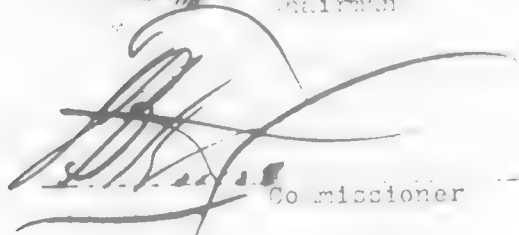
The record in this case shows that on October 18, 1900, John P. Davis appeared before the Commission at Nowata Indian Territory, and made application for the enrollment of himself and minor children, Gertrude and Phyllis Davis, as citizens by blood, and for his wife, Gracie Davis, as a citizen by intermarriage, of the Cherokee Nation. As the said Gracie Davis has been differently classified, her rights to enrollment as a citizen of the Cherokee Nation will not now be passed upon. Further proceedings in the matter of said application were had February 28, 1901, and March 5, 1901, at Muskogee, Indian Territory.

The evidence in this case shows that the principal applicant, John P. Davis, is a Cherokee by blood, is duly identified on the Cherokee strip payment roll of 1894, and Cherokee census roll of 1895, and, with the exceptions below noted, has continuously resided in the Cherokee Nation since birth. Since the year 1895, the said John P. Davis has, during a part of the time, resided in Colorado and Wyoming, but it appears that during such residence abroad he has owned and controlled valuable property in the Cherokee Nation, and it is not considered that his rights to citizenship in said Nation have been forfeited. The minor applicants are children of the applicant, John P. Davis, have continuously resided in the Cherokee Nation since birth, and are duly identified on the Cherokee census roll of 1895, and on the strip payment roll of 1894. The said Davis filed his application for enrollment on October 18, 1900, and the same was filed on the same date.

-2-

It is, therefore, the opinion of this Commission that
the same should be referred to the Secretary of the Interior
for his consideration, in accordance with
the provisions of the Act of Congress ap-
proved March 3, 1879, (21 Stat., 493), and it is so ordered.

IN WITNESS WHEREOF,


Chairman

Commissioner


Commissioner

uskotec, Indian Territory,
this FEB 24 1905

Cherokee D-577.

Muskogee, Indian Territory, February 24, 1905.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1905, granting the application for the enrollment of John P. Davis and his minor children, Gertrude and Pluma Davis, as citizens by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Encl. L-36.

Tamm Dixby.
Chairman.

Cher 10871

Emma Wicket

Trans. from D2881

Cher 10871

Order D 2331

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

ELIAS STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Elias Starr.
Q What is your age? A Twenty two years.
Q What is your present office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q Now then do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Roll No. 1902 Flint District.

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1896
Cherokee roll, their families and their descendants: 4-

E. C. Baggett on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. C. Baggett

Subscribed and sworn to before me this December 9, 1902.

Simon R. Walkingshaw
Notary Public.

Continued on

DEC 10 1900

W. H. H. H.

INTERVIEW OF THE INTERVIEWER
AND THE WITNESS, CHARLEY WICKET,
AT THE CHEROKEE NATION, DECEMBER 12, 1900.

The following is a translation of the interview of
Charley Wicket, a citizen of the Cherokee Nation.

Charley Wicket, being duly sworn and examined by the
Commissioner, testified as follows through Interpreter, J. C. Fick:

- Q What is your name? A Charley Wicket, sir.
Q How old are you? A Thirty-seven.
Q What is your postoffice? A Cookson.
Q You are a citizen of the Cherokee Nation? A Yes sir.
Q Full-blood Cherokee, are you? A Full blood.
Q Do you know Emma Wicket? A Yes sir.
Q Is she a Cherokee by blood? A Yes, she is a Cherokee by blood and
has the appearances of being a full-blood.
Q How long have you known her? A Eight years.
Q Where is she living now? A She lives about a mile, a little
more than a mile from my place.
Q Her postoffice would be Cookson? A Yes sir.
Q Has she a husband? A She used to have one, but she is not
living with him now; he is in jail at Vinita.
Q What is his name? A Charley Wicket.
Q Do you know what her mother's name is? A Her mother is Jack
Rattlingourd's wife.
Q Is her mother living? A Yes sir.
Q Where? A Some where over on Fourteen Mile Creek.
Q What would be the postoffice - Peggy's postoffice? A Gibson would
be the postoffice.
Q What is her first name, do you know? A Cah-tah-ne.
Q What is the English for that? A I don't know.
Q Is her father living? A Her father is dead.
Q Do you know what his name was? A I don't remember her father's
name; it was a hard name though.
Q Who is Emma Wicket living with? A She lives alone.
Q Has she lived in the Cherokee Nation all the time that you have
known her? A Yes sir, she lived near me all that time.
Q When was her mother married to Jack Rattlingourd? A I don't know;
they have grown children.
Q How old would Jack Rattlingourd's wife be, do you think? A I
guess she is somewhere in the neighborhood of fifty.
Q Were they married before 1890 do you think? A I think somewhere
about that time, in '90.
Q Do you know whether her name is Nellie? A I don't know her
English name; all I know is her Cherokee name.

The wife of Jack Rattlingourd is listed on Cherokee land
9381 as Nellie E. Gourd and her name appears on the roll of 1890
as Nellie Rattlingourd in Native District.

2- 1000 11 100.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. H. Pothier

Subscribed and sworn to before me this 17th day of December, 1903.

Samuel Foreman
Notary Public.

FILED
1905
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T., MARCH 21, 1905.

2881
CHEROKEE D-~~1~~.

APPEARANCES:

Applicant appears in person,
Cherokee Nation by W. W. Hastings.

HENRY HARSBURG duly sworn as Interpreter.

The applicant, Emma Wickett being first duly sworn, testifies in her own behalf, through Interpreter Harsburg, as follows:

- Q What is your name? A Emma Wickett.
Q How old are you? A I don't know exactly, over thirty years, though.
Q About thirty-five? A Yes sir, some where near that I reckon.
Q What is your postoffice address? A Cookson, I.T.
Q In the Cherokee Nation? A Yes sir.
Q Where did you live twentyfive years ago; when you were a little girl about ten years old? A I lived on Spring Creek, Saline District.
Q Did you ever live in Flint District? A Yes sir.
Q Have you always lived in the Cherokee Nation? A Yes sir, have lived in the Cherokee Nation always.
Q Have never lived anywhere else? A No sir.
Q What is your father's name? A Allen.
Q Just Allen, nothing else? A I do not know.
Q What is your mother's name? A Nellie
Q Is your mother the wife of Jac Rattlinggourd? A Yes sir.

MR. HASTINGS:

Cherokee Nation offers no testimony and is willing that this applicant be enrolled on straight card.

Lucy M. Bowman being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes she recorded the proceedings had in the above entitled cause on this 21st day of March, 1905, and that the above and foregoing is a full, true and complete transcript of her stenographic notes thereof.

Subscribed and sworn to before me this 21st day of March, 1905.

Myron White
Notary Public.

FILED
MAY - 5
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS, CHIEF OF BUREAU TRIBES.
NATIONAL FIELD OFFICE.
WASHINGTON, D. C.
April 27, 1906.

REPORT OF JENNIE FAULKNER had in the matter of the application for the enrollment of E. A. WICKET as a citizen by blood of the Cherokee Nation.

JENNIE FAULKNER, being first duly sworn, testified as follows:

BY THE COMMISSIONER:

- Q What is your name? A Jennie Faulkner.
Q What is your age? A I am 41.
Q What is your post office address? A Washburn, I. T.
Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know a woman by the name of Emma Wicket, who is living is about 33 years old? A Yes sir.
Q Is this Emma Wicket any relation of yours? A Yes sir, she married my first cousin.
Q When was the last time you saw Emma Wicket? A About two years ago.
Q What was the name of your cousin who she married? A Charlie Wicket.
Q Is Charlie Wicket living? A Yes sir the last time I heard from him.
Q Do you know where he is living? A Yes sir, he stays around on Dry Creek.
Q Is he and his wife living together as husband and wife? A No sir not that I know of.
Q What was the name of the father of Emma Wicket, if you remember? A No sir, I never did hear, I heard her step-father's name.
Q What was his name? A Rattlingourd.
Q Do you know his given name? A No sir.
Q In what District in the Cherokee Nation was Emma Wicket living in 1896? A She was in Tahlequah District, went back and forth from Flint to Tahlequah.
Q You don't know which District she made her home in in 1896? A No sir.
Q You don't know in which District she is enrolled in 1896? A No sir.
Q Is she the only woman you know by the name of Emma Wicket in the Cherokee Nation? A Yes sir.
Q Is she a recognized citizen by blood of the Cherokee Nation? A Yes sir.
Q About how old is she at present? A I reckon about 30 or 36, somewhere along there.
Q Do you know her present post office address? A I don't know for certain but it ought to be Cookson, she lives pretty close to there.
Q Do you know in what District she was living in 1880? A In Tahlequah then I guess.
Q Where was she born, do you know? A She was born in Tahlequah I guess, I never knew her until after she married my cousin.
Q You don't know her maiden name? A No sir.
Q Do you know whether or not she has been finally enrolled by the Commission as a citizen of the Cherokee Nation? A I don't know, I never heard her say anything about it.

- Q How long has it been since she and Charley Wicket were married?
A As well as I can remember they were married about 13 or 14 years ago, and up to about two years ago they separated.
Q How long have you known that Emma Wicket has lived continuously in the Cherokee Nation? A Ever since I knew her.
Q Have you known her ever since she and your cousin were married?
A Yes sir.
Q Then to your personal knowledge she has been living in the Cherokee Nation continuously for about 13 or 14 years? A Yes sir.
Q Was she born in the Cherokee Nation? A Yes sir, I think she was.
Q Has she ever made her home outside of the Cherokee Nation that you know of? A No sir.
Q Do you know how much Cherokee blood she has? A No sir, I couldn't say, she looks about pretty near a full blood.

The applicant is identified on the 1896 Cherokee Census Roll, Flint District, No. 1902, and is listed for enrollment from information on Cherokee D-2861.

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George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 1st day of May, 1905.

Myron White
Notary Public.

106
Cherokee D-2881.

O. J. J.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-600-

In the matter of the application for the enrollment of
Emma Wicket, as a citizen by blood of the Cherokee Nation.

O R D N.

It appears from the record in this case that on June 30, 1902, Emmet Starr appeared before this Commission, at Muskogee, Indian Territory, and made application for the enrollment of Emma Wicket, as a citizen by blood of the Cherokee Nation, her name being listed upon Card, Cherokee D-2881.

The evidence shows that said applicant is a full blood Cherokee Indian and is identified upon the 1894 Cherokee Leased District Payment Roll, and also upon the 1896 Cherokee Census Roll.

It further appears that said applicant has resided continuously in the Cherokee Nation from the date of her birth up to and including September 1, 1902.

It is therefore ordered that the name of the applicant which now appears upon Card, Cherokee D-2881, be transferred to Card, Cherokee 10871.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Muskogee, Indian Territory,

MAR 23 1905

RESIDENCE

DISTRICT

Cherokee Nation. Cherokee Roll.

Camp No.

POST OFFICE

CITIZENSHIP CERTIFICATE

ISSUED

1905

Residence

Post Office

Roll No.

KEE NATION.

KEE ROLL.

Card No.

Field No.

11

Wicket, Burma

Roll

11

Wicket, Burma

11

Wicket, Burma

Wicket, Burma

Wicket, Burma

Wicket, Burma

Wicket, Burma

Wicket, Burma

Listed from information

REGISTRATION:

POST OFFICE:

Nation.

Roll.

CARD No.

FIELD No. *D*

REF XED

| Serial
Roll No. | NAME | Relation
ship to
Person
first
Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | TRIBAL ENROLLMENT OF PARENTS | | | | District |
|--------------------|--------------------------------|---|-----------|----------|-------|-------------------|---------------|------------------------------|--------|--------|--------|----------|
| | | | | | | Year | District | Name | Mother | Father | Mother | |
| 1 | <i>Aaron, Cun-ye-che</i> | | <i>34</i> | <i>F</i> | | <i>1880</i> | <i>Saline</i> | <i>32</i> | | | | |
| 2 | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | |
| 4 | | | | | | | | | | | | |
| 5 | | | | | | | | | | | | |
| 6 | <i>Un-ye-che</i> | | | | | | | | | | | |
| 7 | | | | | | | | | | | | |
| 8 | | | | | | | | | | | | |
| 9 | | | | | | | | | | | | |
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| 15 | | | | | | | | | | | | |
| 16 | | | | | | | | | | | | |
| 17 | | | | | | | | | | | | |
| 18 | <i>Listed from information</i> | | | | | | | | | | | |

July 2, 1902

Link 734.

DEPARTMENT OF THE INTERIOR
United States Indian Service
Five Civilized Tribes

Muskogee, Oklahoma.

This is to certify that I am the officer having the custody of the records pertaining to the enrollment of the members of the Choctaw, Chickasaw, Cherokee, Creek, and Seminole tribes of Indians, and the disposition of the lands of said tribes, and that the following papers attached hereto are true and correct copies of the enrollment record on file in this office in connection with the application of _____

Emma Ficket

Roll No. 33552, for enrollment as a Citizen

of the Cherokee Nation, so far as same relates to the age of said citizen.

Census Card #10871, Doubtful Cards Nos. 2044, 2881; Testimony dated 3/21/05 and a Copy of Approved Roll No. 33552.

S. E. WALLIN, Superintendent.

BY

E. E. Ficket

CLERK

IN CHARGE

Cherokee

RECORDS

1/13/24

192

C.F.B.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of

CUN-YU-CHE AARON

as a citizen (by blood) of the Cherokee Nation.

CHEROKEE D 2044
CHEROKEE 10871

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

Q What is your name ? A Emmet Starr.
Q What is your age ? A Thirty one years.
Q What is your post office address ? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation ?
A Yes sir, I am.
Q You are so recognized ? A Yes sir.
Q For whom do you desire to make application for enrollment ?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Q Are there any other persons for whom you desire to make appli-
cation for enrollment ?

A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

Cun-yu-cha Aaron, page 613, § 32, Saline District;
Note: "Shawnee; P. O. Spaginsaw".

B. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

B. C. Bagwell

Subscribed and sworn to before me this August 5, 1902.

B. C. Bagwell
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.

Tahlequah, I. T., September 6, 1905.

In the matter of the application for the enrollment of Cun-yu-che Aaron, as a citizen by blood of the Cherokee Nation. No. D-2044.

EMMA WICKET, being duly sworn by Simon R. Walkingstick, a Notary Public, and examined on behalf of the Commissioner, testified as follows:----- (Interpreter Simon R. Walkingstick).


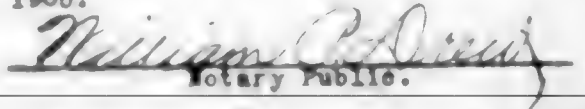
- Q What is your name? A Emma Wicket.
Q How old are you? A I can't state exactly; I'm something over thirty years old though.
Q What is your post-office? A Cookson, Indian Territory?
Q Are you a fullblood Cherokee? A Yes.
Q Were you ever known by any name other than Emma Wicket? A I been married to a man named Charley Wicket.
Q What was your name before you married Charley Wicket?
A (No response)
Q What is the name of your father? A His name was Aaron.
Q What is the name of your mother? A Nellie Aaron.
Q Is your mother living? A Yes.
Q Were they Cherokees by blood and citizens of the Cherokee Nation? A Yes sir.
Q In what District did you reside in the year 1880, that you know of? A I think I lived in Saline District.
Q What is your name in Cherokee? A Cun-yu-che.
Q What was the date you left Saline District? A I have been away from there something like 16 years.
Q What District have you been living in since you left Saline?
A I'm right on the edge of Flint District most of the time, and some in Tahlequah.
Q Did they ever call your mother Ciney Aaron? A No. I never heard her called that.

STATEMENT:

It appears from the testimony just taken that Cun-yu-che Aaron on Cherokee Card, Field No. D-2044, is a duplicate enrollment of No. 1, Emma Wicket, on Cherokee Card, Field No. 10871.

Joe Chambers, being duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes, he correctly recorded the testimony in this case, and that the above and foregoing is a true and complete copy of his stenographic notes.

Subscribed and sworn to before
me this 7th day of September, 1905.



Notary Public.

C7A.B

Cherokee D 2044
" 10871

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Cun-yu-che Aaron as a citizen of the Cherokee Nation.

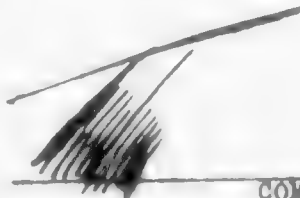
-:-

O R D E R .

THE RECORDS OF THIS OFFICE SHOW: That at Muskogee, Indian Territory, on June 30, 1902, Emmet Starr appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of Cun-yu-che Aaron as a citizen of the Cherokee Nation, and that said applicant was duly listed for enrollment on Cherokee Doubtful card No. 2044. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on September 6, 1905, in which it is shown that Cun-yu-che Aaron, under the name of Emma Wicket, is listed for enrollment on Cherokee card No. 10871.

The records further show that the name of Emma Wicket is included in a partial roll of citizens by blood of the Cherokee Nation approved by the Department on July 27, 1905, opposite No. 32552.

IT IS THEREFORE ORDERED: That the enlistment of Cun-yu-che Aaron for enrollment on Cherokee Doubtful card No. 2044, be cancelled, and that the record in said case be transferred to Cherokee No. 10871.



COMMISSIONER

Dated at Muskogee, Indian Territory,
this OCT 7 - 1905

COMMISSIONERS.
TAMM BIXBY.
THOMAS B NEEDLES.
C. E BRECKINRIDGE.

WM O DEALL.
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:

Cherokee D-2044.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 30, 1905.

Cun-ye-che Aaron,

Spavinaw, Indian Territory.

Dear Madam:

In the matter of the application which has been made to this Commission for the enrollment of yourself as a citizen by blood of the Cherokee Nation, you are advised that before the Commission can render its decision in the matter of the said application, it will be necessary that you appear in person before the Commission at its offices in Muskogee, Indian Territory, and testify relative to your Cherokee citizenship.

As this matter is very important you should give it your prompt attention.

Respectfully,



Chairman.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. HERRICK,
C. B. BRACKINRIDGE

WM O BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER TO REPLY TO THE FOLLOWING:

Cherokee-D-2681.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory. January 24, 1905.

Emma Wicket,

Cookson, Indian Territory.

Dear Madam:

In the matter of the application for your enrollment as a citizen of the Cherokee Nation, you are advised that, before the Commission can determine your right as such citizen, it will be necessary that you appear before the Commission, at Muskogee, Indian Territory, and give testimony relative to your Cherokee citizenship.

This matter should receive your prompt attention.

Respectfully,

Chairman.

COPY

Cherokee-10871.

Muskogee, Indian Territory, March 31, 1905.

Commissioner in Charge,
Cherokee Land Office,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of an order of the Commission dated March 28, 1905, transferring the name of Mura Wicket from Cherokee Doubtful card No. 2881 to Cherokee straight card No. 10871, together with said transferred card No. 10871.

Respectfully,

Tams Bixby.
Chairman.

Inc. 3-21.

Cher 10871

Cer. una Middel

Cherokee D 2044.

RECEIVED

Muskogee, Indian Territory, October 7, 1905.

W. F. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

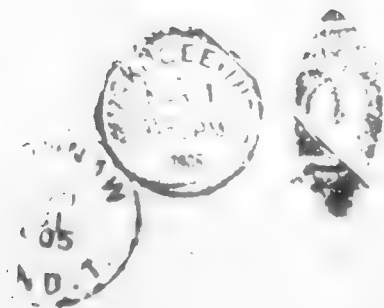
There is herewith inclosed a copy of an order of the Commissioner to the Five Civilized Tribes, dated October 7, 1905, cancelling the enrollment of Gun-yu-che Aaron, on Cherokee card No. 2044, and transferring the record in said case to Cherokee No. 10871, Emma Vicket, they being duplicate enrollments.

Respectfully,

Incl. S-77

cc
James B. Smith
Commissioner.





Department of the Interior
General Land Office
MUSKOCÉE, IND. TER.



CHER 10872

QUATY VANN

TRANSFERRED FROM D2098

CHER 10872

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES HULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Betsy Vann, page 1260, # 3315, Tahlequah District; also on
1880 roll, page 652, # 305, Saline District, as Quaty Co-chur-lu-ty

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this August 5, 1902.

[Signature]
Notary Public.

NO COPY OF THE REPORT ON

...ON TO THE

FILED
MAY 27 1904

04

James H. McLaughlin

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE,
Tahlequah, I. T. May 23, 1904.

In the matter of the application for enrollment of BETSY VANN as a citizen by blood of the Cherokee nation.

DAVE DOWNING being first duly sworn and examined through an official interpreter, testified as follows:-

By the Commission:

- Q What is your name? A Dave Downing.
Q How old are you? A 24
Q Are you a full blood citizen? A Yes.
Q Do you know a Cherokee woman by the name of Betsy Vann, about 30 years old? A Yes, sir.
Q What relation is she to you? A She is my sister.
Q Is she full sister? A Yes, sir.
Q Has the same father and mother has she? A Yes.
Q Has she always lived in the Cherokee Nation? A Yes, sir.
Q Where is she living now? A She is living with me, staying at my house. In Tahlequah District.
Q Are your father and mother both dead? A My mother is living but my father is dead.
Q Has she been enrolled? A She has been enrolled.
Q Is your sister, Betsy Vann married? A She has been married, not married now.
Q Married a man by the name of Vann? A Yes, sir.
Q Had they any children? A Yes, sir, they had 2 children.
Q Are they living? A Yes, sir,
Q What are their names? A I can only give the Cherokee names for them, one's name is Oo-kil-lah- Vann, the other is Oo-cher-lee-tee.
Q How old is the oldest child? A 5 years old.
Q Is that a boy or girl? A Girl.
Q How old is the youngest one? A Not quite a year old.
Q These two children are your sister's by her husband? Yes Vann? Yes.
Q How long has Betsy been living at your house? A She has been living with me for some time. When she was living with this man, Vann, they just lived there with me.
Q This second child was born after Sept. 1, 1902, was she Yes, sir.
A

Q Was your sister Betsey ever known as Quaty? A Yes, sir

By the Commission: Name of the applicant is found on the 1880 roll, page 652, No. 805, Saline District, as Quaty OO-chur-lee-ty

The undersigned on oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above entitled case and that the foregoing is a true and complete transcript of her stenographic notes thereof.

Virginia Hallwork

Subscribed and sworn to before me this
24th day of May, 1904

Simon R. Wallington

Notary Public

FILED
JUL 1 1905
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T., SEPTEMBER 19, 1906.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of BETSY VANN ET AL., as citizens by blood of the Cherokee Nation.

APPEARANCES:

Applicant appears in person.

Cherokee Nation by its representative, W. W. Hastings.

QUATY VANN, being first duly sworn, testified through interpreter, Eli Harlin, as follows:

BY MR. HASTINGS:

- Q What is your name? A Quaty Vann.
Q How old are you? A I think 36.
Q Are you a full blood Cherokee? A Yes sir.
Q Have you ever appeared before the Commission to be enrolled?
A This is my first.
Q Where do you live? A On Spring Creek.
Q What is your post office? A Not anywhere.
Q What is your nearest town? A Gideon.
Q What is your father's name? A Oo-chlute.
Q What is your mother's name? A Nancy.
Q Is your father dead? A Yes sir.
Q Is your mother dead? A No sir, she is living.
Q What is your mother's name now? A Nancy Littledeer.
Q Have you a brother named Steve? A His name is Stena.
Q Is he dead? A Yes sir.
Q Have you a brother named Dave? A Yes sir.
Q Is he living? A Yes sir.
Q Are you older than Stena? A Yes sir.
Q You are older than Dave too? A He is the youngest child of all.
Q What is your Cherokee name? A Oo-chur-lu-tay.
Q Did you live in Saline District in 1880? A Yes sir.
Q Have you some children now? A Yes sir.
Q What is the oldest ones name? A George.
Q George what? A George Vann.
Q How old is George? A Ten years old.
Q Have you got another one? A Oo-kil-lah.
Q How old? A Five years old.
Q Have you got any more? A The youngest child is not on the roll.
Q Born too late? A Yes sir.
Q Have you ever enrolled the oldest one George? A Yes sir.
Q Who did that? A A fellow by the name of Tom.
Q By what name was George enrolled? A Just George.
Q By the name of George Vann or what? A Yes sir, George Vann.

- Q Somebody has filed a death affidavit here showing you were dead, that is a mistake, isn't it? A Yes sir.
Q You are not that person? A No sir.
Q Have you always lived in the Cherokee Nation? A Yes sir.
Q You were born here, never lived out? A Yes sir.
Q In the birth affidavit which you present to the Commission now you don't give the date of the month nor the month when Oo-kil-lah was born, you don't know the month or day do you? A No sir.

-----oOo-----

H. M. Vance, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

H. M. Vance

Subscribed and sworn to before me this January 18, 1905.

Charles D. Sawyer
Notary Public.



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.

Tahlequah, I. T., March 27, 1905.

In the matter of the application of Betsy Vann for the enrollment of herself and child, Oo-Kie-lah Vann, as citizens by blood of the Cherokee Nation. No. D-2098.

QUATIE VANN, being duly sworn and examined, through Interpreter Samuel Foreman, by the Commission, testified as follows:---

- Q What is your name? A Quatie Vann.
Q How old are you? A About 36.
Q What is your post-office? A Woody.
Q Are you a fullblood Cherokee? A Yes sir.
Q What is your father's name? A Oo-chur-lu-ty.
Q He's dead? A Yes sir.
Q Is he a Cherokee? A Yes, fullblood.
Q What is your mother's name? A Nancy.
Q Nancy Oo-chur-lu-ty? A Nancy Chuckluck.
Q Is she living? A Yes, she's here.
Q In what District did your father live? A District No. 1.
Q In what District did your mother live? A Tahlequah.
Q Did you ever make your home outside of the Cherokee Nation?
A No sir.
Q You have resided here continuously all of your life? A Yes.
Q Have you some children? A Yes.
Q Give their names? A George Vann.
Q What is his father's name? A Wilson Dew.
Q He's dead? A Yes, he's dead.
Q What is your English name? A Quatie Vann.
Q English name is Bettie isn't it? A Yes.

BY THE COMMISSION:

The records of the Commission show that applicants child, George Vann, is duly enrolled as a citizen by blood of the Cherokee Nation, opposite No. 18489, Census Card, Field No. 7880, the name of his father being given as Wilson Dew, and his mother Betsy Vann.

- Q What is the name of your next child? A Oo-kie-lah.
Q Is that a boy or girl? A Girl.
Q Is the child living? A Yes.
Q Live at home with you? A Yes.
Q How old is the child? A 4 years old.
Q Do you know when the child was born? A Don't remember the day or month.
Q Do you know what year? A 1901, I guess.
Q Do you know what month? A In August, I guess.
Q What is the name of the father of that child? A Tom Vann.

- Q Is he living? A Yes sir.
 Q Is he a Cherokee by blood? A Yes.
 Q In what District does he live? A He goes from place to place.
 Q His old home; where would that be, Tahlequah, Goingsnake or Saline? A Tahlequah District.
 Q Have you any other children? A Yes.
 Q Give their names? A Yes, I have another one named George.
 Q How old is that child? A 2 years old.
 Q Was it born after the roll closed? A Yes.
 Q Is not entitled to anything then? A That's what they say.
 Q Did you live in Saline District in 1880? A Yes sir.

BY THE COMMISSION:

The applicant is duly identified upon the 1880 authenticated roll of citizens of the Cherokee Nation, page 652, No. 808, Saline District, as Quatie Oo-chur-leu-tey.

- Q An affidavit has been filed with the Commission showing your death in July, 1903. Do you know who filed that affidavit?
 A No.
 Q Did you ever have a sister younger than you named Quatie or Betsy? A Yes, I had a sister but her name was Ella; she died about a year ago last Christmas.
 Q Was she younger than you? A Yes.
 Q Why didn't you apply for enrollment? A Wasn't able to appear; couldn't walk; sick; legs swelled.

NANCY CHUCKLUCK, being duly sworn and examined, through Interpreter Samuel Foreman, by the Commission, testified as follows:---

- Q What is your name? A Nancy.
 Q What else? A That's all.
 Q Chuckluck? A Yes.
 Q How old are you? A I don't know.
 Q About 60? A Yes, about that old.
 Q Are you a fullblood Cherokee? A Yes.
 Q What is your post-office? A Moody.
 Q Is this woman here your daughter? A Yes.
 Q Is her name Bettie or Quatie? A Quatie.
 Q Do you know about how old she is? A No, don't know.
 Q Is her father named Oo-chur-lu-ty? A Yes.
 Q Was he a Cherokee by blood? A Yes.
 Q Always recognized as a Cherokee? A Yes.
 Q Has your daughter resided in the Cherokee Nation continuously all her life? A Yes.
 Q Do you know anything about an affidavit being filed with the Commission showing her death in July, 1903? A No, I don't know anything about it.
 Q Did you have a daughter younger than Quatie? A Yes, I had a daughter younger than her but she died.
 Q What was her name? A Sah-kin-ney.
 Q About how old would Sah-kin-ney be if she was living? A I don't know.
 Q Would she be a grown woman? A Yes.
 Q About how long has she been dead? A The other Christmas.
 Q Was it in warm weather when she died? A In the winter.
~~Q Did you know anything about an affidavit being filed with the Commission showing her death in July, 1903? A No, I don't know anything about it.~~

JCR

-3-

Cherokee D-2098.

referred to Sah-kin-ney instead of her? A Yes.

Q Why did your daughter never apply for enrollment? A She was sick; couldn't appear herself.

Joe Chambers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony in this case, and that the above and foregoing is a true and complete copy of his stenographic notes.

Subscribed and sworn to before me
this 28th day of March, 1905.

Joe Chambers
Samuel Thomas
Notary Public.

JC

Handwritten initials
Cherokee D-2098.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-800-

In the matter of the application for the enrollment of Quaty Vann, et al., as citizens by blood of the Cherokee Nation.

O R D E R.

The record in this case shows that on June 30, 1902, Emmet Starr appeared before this Commission, at Muskogee, Indian Territory, and made application for the enrollment of Quaty Vann and her minor child, Oo-kil-lah Vann, as citizens by blood of the Cherokee Nation, their names being listed upon Card, Cherokee D-2098. The evidence in said case shows that both of said applicants are Cherokees by blood. The principal applicant is identified upon the 1880 Authenticated Cherokee Roll, and also upon the 1896 Cherokee Census Roll. Oo-kil-lah Vann having been born subsequent to the preparation of the last tribal roll, is identified by proof of birth.

The evidence further shows that Quaty Vann has resided continuously in the Cherokee Nation from the date of her birth up to and including September 1, 1902. The residence of the minor applicant is taken to be that of its mother.

It is therefore ordered that the names of the applicants Quaty Vann and Oo-kil-lah Vann, whose names now appear on Card, Cherokee D-2098, be transferred to Card, Cherokee 10872.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Handwritten signature

Chairman.

Muskogee, Indian Territory,

MAR 27 1905

COPY.

Cherokee D-2098.

Muskogee, Indian Territory, February 13, 1906.

Mr Harlin,

Tahlequah, Indian Territory.

Dear Sir:

The Commission is in receipt, by reference from the United States Indian Agent, of your letter of February 4, 1906, asking to be advised as to the status of the application for the enrollment of Quaty Varn et al., as citizens by blood of the Cherokee Nation.

In reply you are advised that the Commission has not yet rendered a decision in this case. When a decision has been prepared the parties concerned will be furnished with a copy.

Respectfully,

(SIGNED) *Tams Bixby.*
Chairman.

COPY

Cherokee-10872.

Muskogee, Indian Territory, March 28, 1905.

Commissioner in Charge,

Cherokee Land Office,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of an order of the Commission dated March 27, 1905, transferring the enrollment of Quaty Vann, et al., from Cherokee enrollment card No. D-2098 to Cherokee enrollment card No. 10872, together with said transferred Cherokee enrollment card No. 10872.

Respectfully,

(SIGNED). *Tams Bixby.*

Incl. S-109.

Chairman.

Cher. 102098

20

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of

Nation.

Approved

190

Commissioner.

application made June 30

1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment, as a citizen of the *Cherokee* Nation,
of *Ob-killah Vann* born on the *June* day of *1899*
Name of Father *Thomas Vann* citizen of the *Cherokee* Nation.
Name of Mother *Quaty Vann* citizen of the *Cherokee* Nation.
Post-office *Hidcom, I. T.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

INDIAN TERRITORY

Western

District A

I, *Quaty Vann* do solemnly state that I am *thirty-six*
years of age and citizen by *blood* of the *Cherokee* Nation;
that I am the lawful wife of *Thomas Vann*, who is a citizen, by
blood of the *Cherokee* Nation; that a *female* child was
(Male or female)
born to me on *June* day of *1899*; that said child has been named
Ob-killah, and is now living.

WITNESSES TO MARK:

Quaty her Vann
mark

Must be Two

Witnesses

H. W. W. W.
W. W. Hastings

Subscribed and sworn to before me this

19

day of

*September,**1904**J. K. Campbell*

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA,

INDIAN TERRITORY.

District A

I, _____ do solemnly state that I at-
tended on Mrs _____, wife of _____
on the _____ day of _____; that there was born to her on said
date a _____ child; that said child is now living and is said to have been named _____
(MALE OR FEMALE)

WITNESSES TO MARK

Must be Two
Witnesses

Subscribed and sworn to before me this

day of

190

NOTARY PUBLIC

CHER 10873

LOUISA McINTOSH

TRANSFERRED FROM D2092

CHER 10873

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Louisa McIntosh, page 203, # 2940, Cooweescoowee District;
Also on 1896 roll, page 647, # 702, Saline District, as Luc
McIntosh; Note: "Creek".

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1896
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this August 6, 1902.

E. C. Bagwell
Notary Public.

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T., January 5, 1903.

In the matter of the application of LOUISA McINTOSH, for the enrollment of herself as a citizen by blood of the Cherokee Nation:

MARY F. ARCHER, being first duly sworn, testified as follows:

Examined by the Commission:

- Q What is your name ? A M. F. Archer--Mary F. Archer.
Q What is your post office address ? A Pryor Creek.
Q Are you a citizen of the Cherokee Nation ? A Yes sir.
Q By blood or by intermarriage ? A By blood.
Q How long have you been living in the Cherokee Nation ?
A Never lived anywhere else.
Q Do you know Louisa McIntosh ? A Yes sir.
Q What relation, if any, is she to you ? A Daughter.
Q Where was Louisa McIntosh born ? A In the Cherokee Nation.
Q What was the name of her father, your husband ?
A Edwin Archer.
Q Was he a Cherokee by blood ? A No sir.
Q He was a white man ? A Yes sir.
Q Is he living or dead ? A Dead.
Q How long has he been dead ? A Been dead eight or ten years.
Q Where were you and your daughter living in 1880 ?
A I don't know just what place; we were living in Saline District.
Q You say you are a Cherokee by blood ? A Yes sir.
Q Have you any Creek blood in you ? A No sir.
Q Had your husband any ? A He was a white man.
Q There is a Louisa McIntosh on the roll of 1880, in Saline District, with a note opposite her name that she is a Creek.
A She married McIntosh that was part Creek, in the Creek Nation.
Q How long has your daughter, Louisa McIntosh, been married ?
A About twenty two or three years.
Q She was married in 1880 ? A Yes sir.
Q Her husband was part Creek ? A Part Creek.
Q Is her husband living now ? A They separated.
Q How long ago ? A About two or three years.
Q Where were they living ? A Down below here somewhere, I don't know just where it is.
Q In the Cherokee Nation or the Creek Nation ? A In the Creek Nation, I think; she come home and stayed there--she had a little girl--until she was two or three years old, then she went to teach school.
Q In the Cherokee Nation ? A Sometimes in the Cherokee Nation and sometimes in the Creek Nation.
Q Where is she now ? A I don't know where she is.
Q How long since you have seen her ? A I haven't seen her for a number of years.
Q Have you corresponded with her ? A Not a great deal.
Q Have you seen her within the last four years ?
A No, I haven't.
Q Do you know where she is living ? A No, I don't know. I could have found out.
Q Do you know whether she is living in the Cherokee Nation ?
A Yes sir, I think she is. I think so.
Q Do you know where she was living on June 25, 1898 ?
A No sir.
Q You don't ? A No sir. She has spent her vacations first one place and then another, she is teaching school.

Q You don't know whether she has been in the States ?

A No sir, she has never been in the States; she has been teaching school in the Creek and Cherokee Nation, during vacation she stayed with some family.

Q Has she been living in the Creek Nation or the Cherokee Nation all her life ? A All her life.

Q Do you know whether her name is on the 1896 roll ?

A I don't.

Q Do you know whether she drew strip money in 1894 ? A Yes sir.

Q You are sure of that ? A Yes sir, I drew that.

Q You drew that for her ? A Yes sir.

Q Did you draw the child's money also ? A Yes sir.

Q What is the child's name ? A Lucile.

Q Is that child living ? A Yes sir, she's here with me.

Q Lived with you ever since their separation ? A Yes sir, and before.

Q She has lived in the Cherokee Nation since she was born ?

A Yes sir.

Q You say you drew strip money also for that child ?

A I drew that.

Q The child's name ought to be on the roll of 1894, then ?

A I don't know whether it is or not. I drew the strip money for her, but she took her allotment with the Creeks. She had a right there, and a right in the Cherokee Nation, and she took it with the Creeks.

Q Who made that election for her ? A Mr. Bragdon, of Muskogee.

Q She has been enrolled with the Creeks, and taken her allotment ?

A Yes sir.

Q So you can't state--you don't know where your daughter has been in the last five years ? A No, I hear from her every now

and then, she is in the Creek Nation or the Cherokee Nation.

Q You hear from her or about her ? A About her; I don't get any letter.

Q Do you know whether she goes to Muskogee once in a while ?

A Yes sir, I think she stays in that neighborhood once in a while.

Q The Commission has been informed that your daughter is of unsound mind, do you know whether that is true ?

A No, I don't know that it is.

Q Do you know whether she is mentally afflicted ? A No, only she wanted to run around, and didn't want to stay at home.

Q If she is now of unsound mind it is since she left home ?

A Yes sir.

Q You are on the roll of 1880 are you ? A I guess so.

Q When did she leave home the last time ?

A Twenty some odd years.

Q She hasn't been home since that time ?

A Yes sir she has, I guess about twelve or fifteen years ago.

Q How old is your daughter ? A About forty years old.

Q She doesn't come here to see her daughter ?

A I guess she was home once.

Q When did you last hear from her ?

A She doesn't ~~right~~ write.

Q So you haven't heard from her since she left home fifteen years ago ?

A No sir.

Q And you haven't seen her ? A Never seen her.

Q What information you have is from other parties ?

A Yes sir.

I, E. C. Bagwell, a stenographer to the Commission to the Five Civilized Tribes, on oath state, that the foregoing is an accurate transcript of my stenographic notes of the testimony and proceedings had in the above entitled cause, as the same were taken by Jesse G. Carr, stenographer, and by him read to me.

E. C. Bagwell

Subscribed and sworn to before me this the 8th day of February,
A. D., 1903.

Samuel Forman

Notary Public.

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FILED
MAR 24 1905
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, March 15, 1905.

In the matter of the application for the enrollment of
Louisa McIntosh as a citizen by blood of the Cherokee Nation.

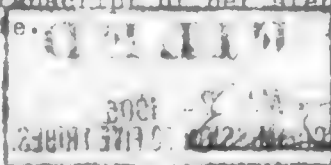
John G. Lieber, being duly sworn, testified as follows:

- Q. What is your name? A. John G. Lieber.
- Q. What is your post office address? A. Muskogee.
- Q. Are you an attorney at law? A. Yes sir.
- Q. How long have you lived in Muskogee? A. 10 years.
- Q. Do you know Louisa McIntosh? A. I do.
- Q. How long have you known her? A. 10 years.
- Q. During that time do you know where has been her residence?
- A. She has lived in the Creek Nation during that time.
- Q. Do you know it? A. Every time I have seen her she was in the Creek Nation, and I have seen her frequently.
- Q. How old is she now? A. Somewhere about 40 or 50.
- Q. Do you know how much Cherokee blood she possesses? A. I do not.
- Q. Has she any relatives living that you know about? A. She has a sister living here in Muskogee, by the name of Cora Shackelford, wife of Ross Shackelford.
- Q. Do you know what has been her mental condition during the last 10 years? A. Yes sir, she is demented.
- Q. Has she any fixed home? A. No sir, she has not had since I have known her.
- Q. Do you know whether she ever lived in the Cherokee Nation?
- A. Not personally, I don't.
- Q. Do you know where she is at present? A. I think she is, at present, in an asylum in St. Louis, taken there a few days ago.
- Q. Is it not a fact that she was taken up from the streets of Muskogee as being demented? A. Yes sir, she was arrested by the United States authorities as being demented, and I saw from the papers, that she had been taken to St. Louis to the asylum for the insane.
- Q. Do you know whether she has a guardian? A. I do not.
- Q. Have you ever known her by any other name than Louisa McIntosh? A. No sir. Her name was Archer, so I am told, before she married.
- Q. There is a notation on the card which says "See Mrs. Polly Archer, Pryor Creek". Do you know that party? A. I do not but I surmise that she is the mother of Louisa.
- Q. Is it not a fact that this applicant is known by, or claims that she has another name? A. Why, she calls herself by different names at different times. She is known by a great many people here as Kate McIntosh, and there is some other name by which she has called herself, and is known by it in the Creek Nation, but I do not know what it is.
- Q. Have you ever heard her called Kate Porter? A. Yes sir, that is the name I couldn't remember.

- Q. Who gave her that name? A. I think she just took it up.
 Q. Her proper name is Louisa McIntosh? A. Yes sir.
 Q. Are you related to her in any way through marriage? A. My wife is.
 Q. Do you know whether she has been recognized as a Cherokee by blood or not? A. Only from what the family say. That is all. She is known as a Cherokee.
 Q. Are all of her family Cherokees? A. Yes sir.
 Q. There has never been any question about their citizenship? A. Not that I have heard of.
 Q. If so you would have heard of it? A. Yes sir.
 Q. How is she related to your wife? A. They are cousins, but I don't know how distant.
 Q. Has Louisa McIntosh any children? A. Yes sir, she has one child that I know of.
 Q. What is its name? A. Lucile McIntosh.
 Q. Is she on a straight Cherokee card? A. No sir. She is on a Creek card. Her father was a Creek.
 Q. Has Louisa McIntosh ever been recognized as a Creek? A. Not that I know of.
 Q. Does she possess any Creek blood? A. Not that I know of.
 Q. What is the post office address of Lucile? A. We have not heard from her in six months. Her last letter gave her post office as Hannah, I.T. She was there teaching school.
 Q. Does she go by the name of Lucile McIntosh? A. I am not sure whether she goes by the name of McIntosh or Archer. Her grandmother, in the Cherokee Nation, raised her.

WITNESS, EXCUSED.

Fula Jeanes Transon, being duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she reported the proceedings had in the above entitled cause on the 15th. day of March, 1905, and that the above and foregoing is a full and complete transcript of her stenographic notes taken in said cause on said date.



Subscribed and sworn to before me this the 23rd. day of March, 1905.

Myron White
 Notary Public.

FILED
MAR 25 1905
COMMISSION TO FIVE TRIBES.

DEPT. OF THE INTERIOR,
COMMISSIONER OF THE CIVILIZED TRIBES.
Muskogee, Indian Territory, March 16, 1908.

In the matter of the application for the enrollment of
Louisa McIntosh as a citizen by blood of the Cherokee Nation.

Leo E. Bennett, being duly sworn, testified as follows:

- Q. What is your name? A. Leo E. Bennett.
Q. What is your post office address? A. Muskogee, I.T.
Q. You are the marshal? A. Yes sir, United States Marshal.
Q. Do you know Louisa McIntosh? A. I do.
Q. Is she a Cherokee by blood? A. She is.
Q. Are you a Cherokee by blood? A. No sir.
Q. Are you an intermarried citizen? A. Yes sir --- I ought
not to say that, I am a noncitizen.
Q. How long have you known Louisa McIntosh? A. About 20
years.
Q. Where has she been residing, to the best of your knowledge?
A. Most of the time in the Creek Nation, but part of the
time in the Cherokee Nation.
Q. Have you seen her frequently within the last 20 years? A.
Yes sir.
Q. You know that she is an Indian? A. Yes sir.
Q. She is demented, is she not? A. Yes sir.
Q. Do you know what has become of her? A. She is in the
United States jail at Muskogee, awaiting transportation to an
asylum.
Q. Do you know if she has a guardian? A. She has not.
Q. Has no one to look after her estate? A. No one to look
after it.
Q. Do you know how much Indian blood she has? A. No, I do
not, but she has the same blood that Gora Shackelford has.
Q. What would you consider her post office address for the next
few days? A. C/O the U.S. Marshal, Muskogee, I.T.
Q. Then what will it be? A. She will be turned over to the
Indian Agent to be taken to an asylum.
Q. Has she any children? A. I do not know of any.
Q. It is a fact, is it not, that for the last 20 years this woman
has been aimlessly wandering around, Mr. Bennett? A. Yes
sir, she has been demented, and without a permanent home.
Q. Do you know Mrs. Polly Archer of Pryor Creek? A. I know
of her, but do not know her personally.
Q. Is she the mother of Louisa McIntosh? A. I understand she
is.
Q. Does Louisa McIntosh claim the name of Kate Porter? A. She
has gone by several names, but I think she sticks more closely
to the name of Porter.
Q. She is under the hallucination that she was married to a man
by the name of Porter? A. I am not so certain but that
she was married to a Porter.

- Q. Under what name is she now committed to the insane asylum?
A. Louisa McIntosh.

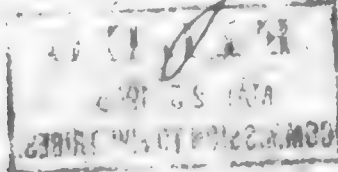
(Cora Shackelfore, the full sister of Louisa McIntosh, is identified upon Cherokee card number 2362, and is possessed of one thirtysecond Cherokee blood. Her father, Edwin Archer, dead, was a noncitizen.)

Eula Jeanes Branson, being duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she reported the proceedings had in the above entitled cause on the 16th. day of March, 1905, and that the above and foregoing is a full and complete transcript of her stenographic notes taken in said cause on said date.

Eula Jeanes Branson.

Subscribed and sworn to before me this the 24th. day
of March, 1905.

W. J. White
Notary Public.



216
O.T.T.

Cherokee-D-2092.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Louisa McIntosh as a citizen by blood of the Cherokee Nation.

O R D E R.

It appears from the record in this case that on June 30, 1902, Ernest Starr appeared before this Commission, at Muskogee, Indian Territory, and made application for the enrollment of Louisa McIntosh as a citizen by blood of the Cherokee Nation, her name being listed on Card Cherokee-D-2092. Additional proceedings were had in the matter of said application at Muskogee, Indian Territory on March 15 and March 16, 1905.

The evidence in this case shows that Louisa McIntosh is a Cherokee by blood, and is identified upon the 1880 Authenticated Cherokee Roll, and also upon the 1896 Cherokee Census Roll. Said applicant has resided continuously in the Cherokee and Creek Nations for the past twenty years.

It is, therefore, ordered that the name of the applicant, which now appears on card Cherokee-D-2092, be transferred to card Cherokee-10873.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Muskogee, Indian Territory,

MAR 28 1905

INDEXED.

COMMISSION TO FIVE TRIBES.

| No. | Received | ANSWERED |
|------|----------|-------------|
| 9544 | | Book Page |
| 1902 | 1 1902 | |

Green, M. D.,
Chouteau, I. T.,
June 12, 1902.

Gives information re-
garding one Lou McIntosh.

File D2092

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

F. I. T.
AUG 16 1902

[Signature]
ACTING CHAIRMAN

COMMUNICATIONS
HENRY L. DAWES
TAMM BIRBY
THOMAS B. NARDEN
C. R. BRACKENRIDGE

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFERENCE TO FOLLOWING

ALLISON I. AYLESWORTH
S. R. H. H. H.

Chouteau, Indian Territory, June 12, 1902.

The Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sirs:

One Lou McIntosh, whose name appears upon the authenticated 1880 roll, Salihe District, No. 702, and upon the 1896 census roll, Cooweescoowee District, No. 2940, is reported to be now residing in Muskogee, Indian Territory. She is also reported to be of unsound mind, and is said to be making her home with Dr. Callahan and with James Lynch. She is a cousin of Mrs. Sue M. Rogers, and a sister to Mrs. Ross Shackelford. This is for your information.

Respectfully,

M. D. Green
Clerk in Charge,
Cherokee Enrolling Party No. 4.

11/12/02 - Sue M. Rogers

Cher. D-2092.

Muskogee, Indian Territory, November 12, 1902.

Mrs. Sue M. Rogers,

Muskogee, Indian Territory.

Dear Madam:

There appears upon the 1880 authenticated roll of citizens of the Cherokee Nation for Saline District, the name of Lou McIntosh, aged at that time twenty-four years.

The Commission is advised that the said Lou McIntosh is a cousin to you, and you are requested to inform the Commission whether or not the said Lou McIntosh is living, and, if so, to furnish her present name and post office address.

Respectfully,

Inclosure.
R.P.

Acting Chairman.

Cherokee D-2902.

Muskogee, Indian Territory, December 16, 1902.

Mrs. D. W. Lipe,

Claremore, Indian Territory.

Dear Madam:

There has been listed for enrollment by this Commission from information, on doubtful card, one Louisa McIntosh (your sister), as a citizen by blood of the Cherokee Nation. In order to complete her enrollment it will be necessary that further testimony be introduced in her behalf.

You are requested to appear before the Commission at its offices at Vinita, Indian Territory, after January 2, 1903, for the purpose of supplying further evidence in regard to her right to enrollment as a citizen of the Cherokee Nation.

Respectfully,

Acting Chairman.

Cherokee D-2092.

Muskogee, Indian Territory, December 16, 1902.

Mrs. Polly Archer,

Pryor Creek, Indian Territory.

Dear Madam:

There has been listed for enrollment by this Commission from information, on doubtful card, one Louisa McIntosh (your sister), as a citizen by blood of the Cherokee Nation. In order to complete her enrollment it will be necessary that further testimony be introduced in her behalf.

You are requested to appear before the Commission at its offices at Vinita, Indian Territory, after January 2, 1903, for the purpose of supplying further evidence in regard to her right to enrollment as a citizen of the Cherokee Nation.

Respectfully,

Acting Chairman.

Cherokee D-2092.

Muskogee, Indian Territory, January 14, 1905.

Mrs. Mary F. Archer,

Pryor Creek, Indian Territory.

Dear Madam:

On January 5, 1903, you appeared before this Commission, at Vinita, Indian Territory, and testified in the matter of the application of your daughter, Louisa McIntosh, for enrollment as a citizen of the Cherokee Nation.

At that time you stated that you did not know the whereabouts of your daughter. If you have acquired this information since that time, you are requested to inform this office of the same immediately.

In case your daughter, Louisa McIntosh is of unsound mind, it will be necessary for some person who has knowledge of her right to enrollment, to appear before this Commission and give further testimony in her behalf.

Envelope for reply is enclosed herewith.

Respectfully,

Enc. Rrv.

RECD:

Tame Dixby.
Chairman.

COF

Cherokee D-2092.

Muskogee, Indian Territory, January 14, 1905.

Louisa McIntosh,

c/o Mrs. Polly Archer,

Pryor Creek, Indian Territory.

Dear Madam:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen of the Cherokee Nation, it will be necessary for you to appear before this Commission, at its office at Muskogee, Indian Territory, and give testimony relative to your right to enrollment as such citizen.

This matter should receive your immediate attention.

Respectfully,

Register.

Tame Dixby.
Chairman.

82092

INDEXED

2866

1905 JAN 20 1905

Archer, Mrs. Mary F.,
Pryor Creek, I.T.,
Cherokee Nation,
Jan. 17, 1905.

Relative to Louisa McIntosh.

| COMMISSION TO FIVE TRICES. | | |
|----------------------------|-------------|-------------|
| No. | Received | ANSWERED |
| 1196 | | Book 1 Page |
| 1905 | JAN 28 1905 | INDEXED |

82092

Williams, M. F.,
Muskogee, I.T.,
No date.

Gives address of Mrs.
Louisa McIntosh.

CHEROKEE ENROLLMENT,

COMMISSIONERS
TAMS BIXBY,
THOMAS E. NEEDLES,
C. E. BRIDGEMAN,
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

CHEROKEE D-2092.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 26, 1905.

Dr. M. F. Williams,

Muskogee, Indian Territory.

Dear Sir:

In January 14, 1905, the Commission addressed Mrs. Mary F. Archer, of Pryor Creek, Indian Territory, requesting that she furnish information relative to the whereabouts of her daughter, Louisa McIntosh, for whom application has been made to this Commission for enrollment as a citizen of the Cherokee Nation.

In reply thereto, she, on January 17, 1905, informed the Commission that she had no knowledge of the whereabouts of said applicant, and referred to you as being able to give said information.

If you have any knowledge relative to the whereabouts of the said Louisa McIntosh, kindly inform the Commission of the same at the earliest possible date.

An envelope for reply is enclosed herewith.

Respectfully,

Chairman.

Enc. 1

Hon. M. F. Williams - Chairman

Dear Sir

*Mrs. Louisa McIntosh
can be found at Mr. W. H. Lynch's residence 816 Boston Ave
this city - Mr. W. H. Lynch's son, a brother in law is
believe attending to her business only go. M. F. Williams*

DELETED

CJ 2092

| COMMISSION TO THE | | | |
|-------------------|--------------|------|------|
| No. | Received | Book | Page |
| 4861 | FEB - 1 1905 | | |
| 1905 | | | |

Lieber, John G.,
Muskogee, I.T.,

States he does not know
present address of Louisa
McIntosh.

CHEROKEE ENROLLMENT

COMMISSIONERS
TAMM BERRY,
THOMAS B. NEEDLES,
C. R. BRIDGEMAN,
WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REPLY IN REPLY TO THE FOLLOWING:
CHEROKEE D-2092.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 26, 1905.

John Leiber,

Attorney-at-Law,

Muskogee, Indian Territory.

Dear Sir:

On January 14, 1905, the Commission addressed Mrs. Mary F. Archer, of Pryor Creek, Indian Territory, requesting that she furnish information relative to the whereabouts of her daughter, Louisa McIntosh, for whom application has been made to this Commission for enrollment as a citizen of the Cherokee Nation.

In reply thereto, she, on January 17, 1905, informed the Commission that she had no knowledge of the whereabouts of said applicant, and referred to you as being able to give said information.

If you have any knowledge relative to the whereabouts of said Louisa McIntosh, kindly inform the Commission of the same at the earliest possible date.

An envelope for reply is enclosed herewith.

Respectfully,

Enc. Env.

Chairman.

Gentlemen: I am not advised as to the present post-office address of the party mentioned. Her last known address was Okanna, Ind. Ter.

Very respectfully

John S. Lieber.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. BRICKENRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cherokee
REPORT IN REPLY TO THE FOLLOWING:
Cherokee D-2092

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES Muskogee, Indian Territory, January 31, 1905.

Louisa McIntosh,

c/o W. R. Shackelford,

Muskogee, Indian Territory.

Dear Madam:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen of the Cherokee Nation, it will be necessary for you to appear before this Commission, at Muskogee, Indian Territory, and give testimony relative to your right to enrollment as such citizen.

This matter should receive your immediate attention.

Respectfully,

Register.


Chairman.

COPY.

Cherokee-D-2092.

Muskogee, Indian Territory. February 16, 1908.

W. R. Shackelford,

Muskogee, Indian Territory.

Dear Sir:

You are requested to appear before the Commission, at its offices in Muskogee Indian Territory, as soon as practicable, for the purpose of giving your testimony relative to the residence of Louise McIntosh, who is an applicant for enrollment as a citizen by blood of the Cherokee Nation.

Respectfully,

(SIGNED) *Tame Bixby.*
Chairman.

Muskogee, Indian Territory, March 25, 1908.

J. Blair Shoenfelt,
United States Indian Agent,
Muskogee, Indian Territory.

Sir:

In reply to a personal inquiry in regard to one, Louisa McIntosh, the records of the Commission show that an application was made for the enrollment of Louisa McIntosh as a citizen of the Cherokee Nation. She is possessed of one ^{3/8} ~~thirty-eighth~~ degree of Cherokee blood, and is identified upon the 1880 Cherokee Roll, Coowescoowee District. Her ~~right to final enrollment has not~~ yet been determined.

Her father is given as Edwin Archer, a non-citizen, now deceased, and her mother as Mary F. Archer, Pryor Creek, Indian Territory, a Cherokee by blood, who has been finally enrolled as such by this Commission and approved by the Secretary of the Interior.

Respectfully,

Chairman.

COPY.

Cherokee-10873.

Muskogee, Indian Territory, March 31, 1905.

Commissioner in Charge,
Cherokee Land Office,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of an order of the Commission dated March 28, 1905, transferring the name of Louisa McIntosh from Cherokee Doubtful card No. 2092 to Cherokee straight card No. 10873, together with said transferred card No. 10873.

Respectfully,

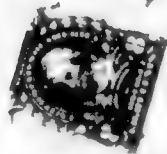
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Tame Bixby.
Chairman.

Department of the Interior.

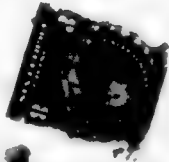
Commission to the Five Civilized Tribes

MUSKOCÉE, IND. TER.



Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.

FEB 3 1893
MUSKOGEE, IND. TER.



John W. Muskogee,

Muskogee, Indian Ter.

Cher 10874

Dave Smith

Trans. from D217

Cher 10874

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment
as a Cherokee citizen by blood of:

DAVE SMITH (alias WICKED)

Cherokee D-217.

8217

9-
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 10 1900

[Handwritten signature]

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE SITE COMPLETED IN 1883.
FT. GILSON, I. T., AUGUST 29th, 1900.

IN THE MATTER OF THE APPLICATION OF Dave Wicked for enrollment as a citizen of the Cherokee Nation, T. B. Needles, Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Dave Wicked.
Q What is your age? A A little over sixteen.
Q What is your Postoffice? A Ft. Gilson.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q As a Cherokee Indian? A Yes sir.
Q What district do you live in? A ~~Sixth~~ Ft. Gilson.
Q Do you live in that district? A Illinois.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Never lived anywhere else? A Lived at Talequa a while.
Q Never lived outside of the Cherokee Nation? A No sir.
Q For what do you apply? A Just myself.
Q What is your father's name? A Ben. Wicked.
Q What is the name of the Cherokee Nation? A No sir.
Q Is he living? A Yes sir.
Q What is your mother's name? A Cynthia Wicked.
Q Is she living? A No sir.
Q Was she a citizen by blood of the Cherokee Nation? A Yes sir.
Q When did she die? A I do not know. I do not recollect.
Q Did you say your father was living? A Yes sir.
Q Why does not your father enroll you; what are your age?
A He is not here.
Q What is he doing; is he going away? A No sir; some where over about Cambridge.
Q Have you any proof that your father is the son of Cynthia Wicked?
A Yes sir; Polly Andrews.
Q Was your father's name Ben. Wicked? A Yes sir.
A I do not know.
Q What was it? A I do not know.
Q Does any one else know anything about you, more than I know about yourself? A Yes sir; Polly Andrews.

Polly Andrews, wife called and sworn, testified as follows:

Q What is your name? A Polly Andrews.
Q What is your age? A Forty four.
Q What is your Postoffice? A Ft. Gilson.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q As an Indian by blood? A Yes sir.
Q Do you know this boy, Dave Wicked? A Yes sir.
Q What is his mother's name? A Cynthia Wicked.
Q Was that her name in 1880? A Yes sir; his grand mother was Maria Wicked.
Q What is Dave Wicked's mother's name? A Cynthia Wicked.
Q Is she living? A No sir.
Q Was her name on the roll of 1880? A I can not tell you.
Q When did she die? A She has been dead a long time; he has been raised an orphan child.
Q His grand mother's name was Maria Wicked? A Yes sir.

By Cherokee Representative:

Q Did his mother have any sisters? A Yes sir.
Q What about Elizabeth Wicked? A She is dead; she is his aunt.

By the Commission:

Q Elizabeth Wicked was a sister of his mother's? A Yes sir.
Q You say his grand mother died two years ago? A Yes sir/
Q Do you know that to be a fact? A Yes sir.
Q What relation are you to this boy? A His grand mother is my third cousin.

Q No, did it appear that Dave Wicked's name is not on the roll of 1880? A I could not tell.
Q Do you know how long he has been dead? A A good while; about eighteen years.
Q His mother? A Yes sir.
Q Did she die before 1880; twenty years ago? Yes sir.

Ap I cant recalled:

Q Did you draw your strip payment money? A Yes sir.

Q By the name of Dave Wicked? A I do not know; it was at the time there as Smith.

Q Who drew your money for you? A My grand mother.

(1880 Roll, Page 602, #2150, Mariah Wickett, Illinois District --- Apple St's grand mother)

Q Did you apply for citizenship in 1897 to the Dawes Commission? A No sir.

(1894 Roll, Page 845, #2051 - Applicant identified as Davis Smith, Illinois District)

The name of Dave Wicked is found upon the pay roll of 1894, as Davis Smith. Upon examination of the authenticated Roll of 1880, and the census roll of 1896, his name can not be found. He avers that his mother's name was Cynthia Wicked, whose name can not be found on the authenticated roll of 1880. He avers that Mariah Wicked was his grand mother on his mother's side, and the name of the said Mariah Wicked appears on the authenticated roll of 1880, as designated in the testimony. Upon referring to the testimony, it will be found that the witness testifies that the said Dave Wicked is the grand son of said Mariah Wicked. The Commission, not being at this time satisfied as to the citizenship of the said Dave Wicked, final judgment as to his application for enrollment will be suspended, and he will be placed on a doubtful card.

The undersigned, being sworn states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A. N. Channing

Subscribed and sworn to before me
this 9th day of September, 1900.

C. A. [Signature]

COMMISSIONER.

2917

B-

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
AUG 29 1900

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ACTING CHAIRMAN

ILLINOIS,

Statement of Applicant Taken Under Oath

CHEROKEES BY BLOOD AND ADOPTION.

Date

AUG 29 1900

1900.

Name

Wm. W. W. W.

District

ILLINOIS.

Year

1894

Page

545

No.

2051

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Wm. W. W. W.

Dist.

Year

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Age

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Nov 1894 William Davis Smith

1894

10

OUT, BEYOND.

enrollment of himself and the Microbe Nation.
In the matter of the location of the Dave Wilson for

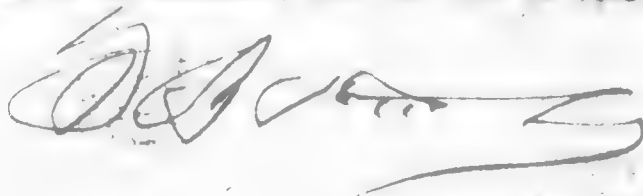
Moscow, U.S.S.R. April 24, 1968.
 Dear Sir,
 I am pleased to have received your letter of
 April 10, 1968, and to inform you that the
 Department of the Interior,

D. 217.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 20, 1902.

In the matter of the application of Dave Wicked for the enrollment of himself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 4, 1902, that his case would be taken up by the Commission for final consideration on the 20th instant, and that he could on said day appear before the Commission and introduce any additional testimony affecting his case. He has been called three times and fails to respond either in person or by attorney, and the case is closed.

A handwritten signature in dark ink, appearing to be 'D. J. [unclear]', written in a cursive style.

Commissioner.

FILED

DEC 18 1904

COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES?
USKOGEE, I. T., DECEMBER 6, 1904.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application
for enrollment of Dave Wicked as a Cherokee citizen by blood.

APPEARANCES:

Applicant appears in his own proper person.
Cherokee Nation by its representative, W. W. Hastings.

BEN SMITH, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A Ben Smith.
Q How old are you Mr. Smith? A 56.
Q What is your post-office address? A Muskogee.
Q Are you acquainted with Dave Wicked? A Dave Smith.
Q He goes by both names does he, that of Dave Wicked and Dave Smith?
A I know he goes by Dave Smith, he must have changed his name cause
his name is Dave Smith.
Q This man here (indicating) is the man that you know by the name
of Dave Smith? A This fellow (indicating).
Q What was the mother's name? A Lucinda Wicked.
Q Were you married to Lucinda Wicked? A Yes sir.
Q When did you marry her? A Along in 1872.
Q Where was Lucinda living at that time? A Fort Gibson.
Q How long had she been living there before your marriage, so far
as you know? A I never knew her to live anywhere else.
Q How long did you and Lucinda live together, Mr. Smith? A I do
not know exactly, I lived with her until she died, ten or twelve
years.
Q Do you know about what year she died? A No I do not know exactly
what year it was but she has been dead twenty five years.
Q She has been dead twenty five years? A Yes sir.
Q According to that Mr. Smith, she would have died in 1879? A She
died when he was six months old, he was born in May and she
died in October.
Q According to that you and she only lived together about seven
years? A Somewheres along in there, I disremember how long it
was, it has been so long.
Q Where did she live when she died? A Lived in Fort Gibson.
Q What was the nationality of Lucinda Wicked? A She was a half
breed.
Q You mean by that a half Cherokee? A Yes sir.
Q And half colored? A Yes sir.
Q Who was the mother of Lucinda Wicked? A Mariah Wicked.
Q Was your wife living when the 1860 roll was made, do you know?
A I do not know whether she was or not.
Q Did she ever go by any other name than Lucinda Wicked and Lu-
cinda Smith? A She went by Lucinda Smith after she was married,
Lucinda Wicked was her birth name.
Q She always lived at Fort Gibson, so far as you know? A Yes sir.

- Q Do you know why Lucinda Wicked's name is not on the 1880 roll?
 A I do not know.
 Q What reason do you say she has been dead twenty five years, what makes you remember that? A Cause he is that old, she died the same year he is born.
 Q And you think he is twenty five years old? A Yes sir.
 Q Did Lucinda Smith have any brothers or sisters? A She had two brothers and one sister.
 Q Did she have any sisters? A She had one.
 Q What was her name? A Charlotte.
 Q Tell the Commission how many years in your judgment you knew Lucinda before you were married in 1872? A I do not know exactly how long I did know her.
 Q About how long? A Ever since she was a small girl.
 Q What time did you go to Fort Gibson? A In '69 I came there when the soldiers came there, I soldiered there.
 Q And you got acquainted with your wife about that time? A Yes sir.
 Q How large, or how old was she when you first knew her? A I guess about sixteen.
 Q Where has this boy lived all his life? A Fort Gibson I guess, every time I heard of him or saw him he was there.
 Q How often did you see him? A Five or six times a year.

BY MR. HASTINGS:

- Q You have heard about him being in the Cherokee Nation? A Yes sir.
 Q Have you ever heard of him being out of the Cherokee Nation?
 A No sir.
 Q Do you think he has ever been out of the Cherokee Nation? A I don't think he has.
 Q Who took him after his mother died? A His grandfather.
 Q Mariah Wicked? A Yes sir.
 Q With whom has he lived up to the present time? A I don't know what was with his brother-in-law I guess.
 Q Did you have some more children by Lucinda Wicked other than this one? A No sir.
 Q This is the only child? A Yes sir.
 Q Do you think this boy was born about 1879? A I guess so, I know he is twenty five years old.
 Q How do you fix his age at being twenty five years? A I know from that the man I worked with he had a girl born the same year he was and she is twenty five years old.
 Q Where did his mother die? A At Fort Gibson.
 Q Did she live in Fort Gibson continuously from the time you first knew her in 1869 until her death? A Yes sir.
 Q How do you fix the time at 1872 that you married her? A I think that was about the time, I never kept no regular numbers of the time.
 Q How long did you live with her as husband and wife? A About six or seven years, I know it could be no shorter time than that.
 Q You never had any more children than this one boy? A Not by her I never, she died when he was a baby.
 Q And this is her child? A Yes sir.
 Q She was the daughter of Mariah Wicked? A Yes sir.
 Q Is Mariah Wicked still alive? A No sir.
 Q When did she die? I don't know exactly when she died.

- Q How long did you stay in the Territory? A Yes sir.
 Q When did you first leave it after your wife died? A I left
 about six or seven years after she died, I worked on the railroad
 in Texas,
 Q This you was never with you? A No sir, ever carried five
 years with me anywhere.

With a solemn oath and sworn, that filed as follows:

BY THE COURT:

- Q What is your name? A William Hudson.
 Q Where do you live? A I live at Fort Gibson, Okla.
 Q How old are you? A I am 34.
 Q Are you a single man? A Yes, sir.
 Q Sometimes they call you the son of Dave Wicket? A Yes sir.
 Q How do you know him? A I have known him since childhood,
 I have known him at least for six or twelve years as
 far as I can remember, of course I have known him longer than
 that.
 Q You say that that boy has never since he was a small
 child? A Yes, sir, ever since he wore dresses.
 Q Did you know his mother? A Yes sir, I have seen her.
 Q Do you remember what her name was? A I always remembered her
 name as Cynthia.
 Q Where has Dave Wicket lived since he came back here? A At
 Fort Gibson.
 Q Did you ever know of his living out of the Cherokee Nation?
 A I never knew him to go out of the Territory, only lately he has
 got to work on the railroads and to down toward Fort Smith.
 Q Did you know the grand-father of this boy, Marian Wicket? A Yes
 sir.
 Q Where did the boy live during the grand-father's life time? A
 There at Fort Gibson.
 Q With the grand-mother? A Yes sir.
 Q Where has he made his home after the death of his grand-father?
 A He lived with me two years and three or four months, up to the
 time my wife died, she was his half sister, and when she died,
 then I broke up house keeping, and he has been there at Fort
 Gibson all of the time.
 Q What was your first wife's name? A Florence Wicket.
 Q You say she was a half sister of the fellow? A Yes sir.
 Q Same mother? A Yes sir.
 Q Where was she living when you married her? A She worked about
 for a living, she was raised at Fort Gibson and lived over there
 part of the time and here and at Tahlequah part of the time.
 Q The mother of your wife Florence, was named Marian? A Cynthia.
 Q Cynthia Wicket? A Yes sir.
 Q She was older or younger than this applicant? A Older.
 Q She was born before Lucinda married Ben Smith? A Yes, sir.

Florence Wicket, daughter of Lucinda Wicket, and half sister of
 the applicant, Ben Wicket, appears upon the 1880 roll, p. 1296.

George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lessley

Subscribed and sworn to before me this the 7th day of December, 1904.

W. H. Campbell
Notary Public.

My Commission expires

July 1, 1906

Cherokee 11.

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS, CIVILIAN TRIBES.

In the matter of the application for the enrollment of
Dave Smith, alias Wicked, as a Cherokee citizen by blood.

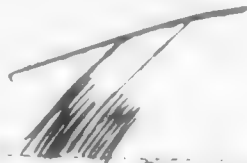
OPINION.

The record in this case shows that the applicant, Dave Smith, alias Wicked, appeared before the Commission at Fort Gibson, Indian Territory, on August 29, 1920, and made personal application for his enrollment as a citizen by blood of the Cherokee Nation. Further proceedings were had in the matter of this application at Muskogee, Indian Territory, on December 4, 1924.

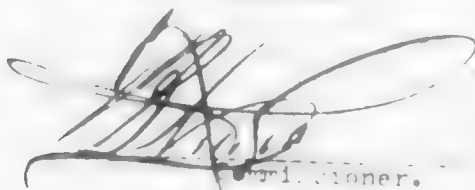
The evidence herein further shows that the applicant is a Cherokee Indian by blood; that his mother was Lucinda Smith (nee Wicked), who died about 1879 or '80; that his grandmother, Mariah Wicked, is identified on the last authenticated roll of the Cherokee Nation, Illinois District, page 2, number 2150; that the applicant is identified, under the name of Davis Smith, upon the 1894 Strip Payment Roll, Illinois District, page 445, number 2051; and that the applicant is born in the Cherokee Nation, and has resided here continuously therein.

It is, therefore, the opinion of the Commission that Dave Smith should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 25, 1906 (34 Stat., 495), and it is so ordered.

COMMISSIONER OF INDIAN AFFAIRS, CIVILIAN TRIBES.



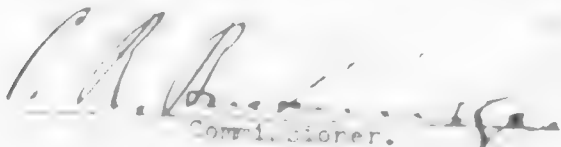
Chairman.

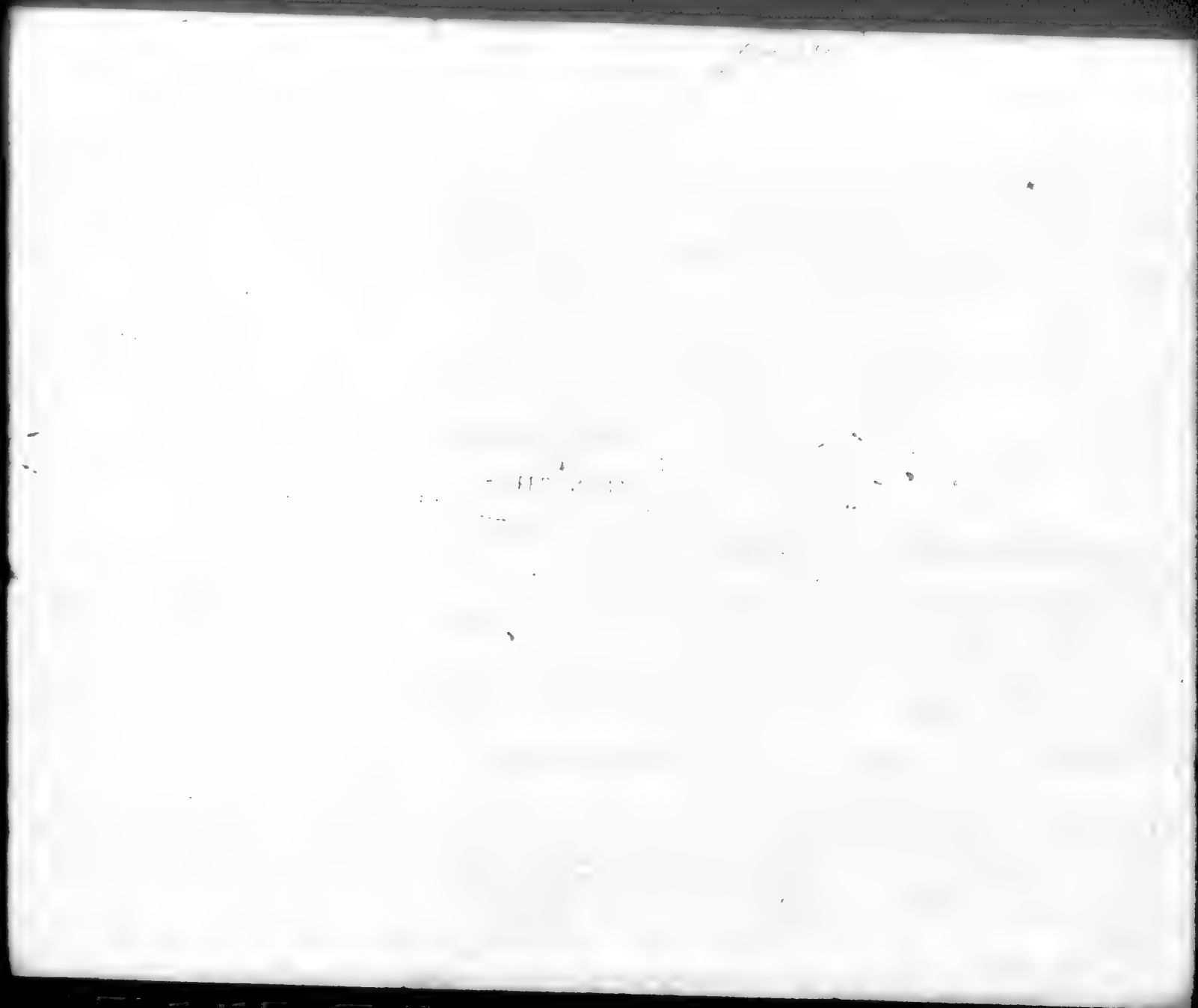


Commissioner.

MADE BY, Indian Territory,

MAR 21 1925


Commissioner.



MAILED
FEB 11 1902
U. S. DEPT. OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
WASHINGTON, D. C.

U. S. DEPT. OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

MISS NORTHERN RIVER, OKLAHOMA

Muskogee, Indian Territory, **February 4th,**

1902

Dave Wicked,

Port Gibson, Indian Territory,

Sir:-

You are hereby notified that the application of **yourself**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the **20th** day of **February**, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-217

Yours truly,

Register.

Acting Chairman.

Muskogee, Indian Territory, March 27, 1902.

Mr. Dave Wicked,

Fort Gibson, Indian Territory.

Sir:

On the 4th day of February, 1902, you were notified by registered letter, receipt whereof is on file in this office, that the application of yourself for enrollment as a citizen of the Cherokee Nation, would be taken up for final consideration by the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, on the 20th day of February, 1902; when an opportunity would have been given you to introduce any additional testimony affecting your application. You failed to appear in person or by attorney on said date.

You are requested to furnish the Commission with definite proof of your birth, also your mother's death, and you are hereby granted until the 5th day of April, 1902, to produce such proof. Upon your failure to avail yourself of this last opportunity, your case will be deemed to have been submitted to the Commission for final consideration.

You are reminded that the proof requested is very essential in the disposition of your case, and your prompt attention to

Dave Wicked - 2 -

it is requested and urged.

Yours truly,

Commissioner in Charge.

In answering refer to
Cherokee D. 217
Register.

MEMORANDUM
TAMM, B. H.
THOMAS, H. N.
R. B. H. N.

MEMORANDUM

Cherokee P. 717.

Muskogee, Indian Territory. July 28th 1902.

In the matter of the application of Dave Wicked, for the enrollment of himself as a citizen by blood of the Cherokee Nation.

: Notice.:

To Dave Wicked.

Fort Gibson, I. T.

You are hereby notified to appear before the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, within fifteen days from date hereof, and furnish proof as to the identity of your mother on the Cherokee rolls of 1880.

Commission to the Five Civilized Tribes,

By

Commissioner in charge.

Register.

Cherokee D 217.

Muskogee, Indian Territory, September 11, 1902.

John O. Rosson,

Tahlequah, Indian Territory.

Dear Sir:

It appears from the records of this Commission that on August 29, 1902, one Dave Wicked, aged at that time about nineteen years, appeared before the Commission and made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation.

The said Dave Wicked stated that he was the child of Ben Smith, a colored man, and Cynthia Wicked, a Cherokee, and that his postoffice address was Fort Gibson, Indian Territory. Letters addressed to him at that place have been returned unclaimed.

The Commission desires further evidence as to the citizenship of the applicant, he being identified only on the tribal roll of 1894; also, as to his residence on June 23, 1898, as well as the residence of his father on said date and prior thereto.

Yours truly,

Acting Chairman.

Cherokee D-217.

Muskogee, Indian Territory, September 24, 1902.

John O. Resson,

In Charge Special Cherokee Enrollment Party,
Tahlequah, Indian Territory.

Dear Sir:-

The Commission is in receipt of your letter of September 15, stating that you are informed that Dave Wicked, listed upon Cherokee doubtful card, D-217, is at present confined in the Federal Jail at Muskogee.

In reply you are advised that this person was released from custody on August 8, 1902. You are directed to make further inquiries and additional efforts to locate this man.

The Commission is informed that he is sometimes known as Dave Smith.

Respectfully,

Acting Chairman.

py.

copy

Muskogee, Indian Territory, December 13, 1904.

W. F. Hastings, Attorney for
The Cherokee Nation,
Tahlequah, Indian Territory.

Dear sir:

There is herewith enclosed a copy of supplemental testimony taken at Muskogee, Indian Territory on December 6, 1904, in the matter of the application for the enrollment of Dave Vicked as a Cherokee by blood.

Respectfully,

Encl. OG-48.

James Dixby.
Chairman.

COPY.

Cherokee D-217.

Muskogee, Indian Territory, March 11, 1905.

David Wicked,

Fort Gibson, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of March 7, 1905, relative to your enrollment as a citizen by blood of the Cherokee Nation.

In reply you are advised that the Commission has not yet rendered a decision in this case. When a decision has been rendered you will be furnished with a copy.

Respectfully,

Tame Bixby.

(SIGNED)

Chairman.

COPY.

Cherokee D-217.

Muskogee, Indian Territory, March 21, 1905.

W. V. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1905, granting the application for the enrollment of Dave Smith as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Tame Kirby

Chairman.

Incl. S-51.

COPY

Cherokee D-217.

Muskogee, Indian Territory, April 11, 1905.

Dave Smith,

Port Gibson, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

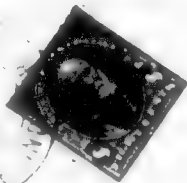
You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-15

I. B. Needles.
Commissioner in Charge.





Department of the Interior

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, \$300.

18
Dave Wicked,

Fort Gibson,

I. T.

*Miss Lora
P. O. & Co.*

Miss Lora

Cher 10875

Isom Taylor

Trans. from D245

Cher 10875

✓

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment
as citizens of the Cherokee Nation of:

Ison Taylor et al. --- Cherokee-D-245.

25

[illegible]

The above information was obtained from a review of the files of the Department of the Interior, Bureau of Indian Affairs, and the files of the Bureau of Land Management, and is being furnished to you for your information.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
PRYOR CREEK, I.T., SEPTEMBER 10th, 1900.

IN THE MATTER OF THE APPLICATION OF Isom Taylor and wife for ~~enrollment~~ enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Isom Taylor.
Q What is your age? A Twenty seven past.
Q What is your Postoffice? A Salina.
Q What is your District? A Salina.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q What degree of blood? A Three fourths.
Q What district do you live in? A Salina.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Are you married? A Yes sir.
Q Do you apply for your wife? A Yes sir.
Q Any children? A No sir.
Q Is your father living? A No sir.
Q What was his name? A Richard Taylor.
Q Is your mother living? A No sir.
Q What was her name? A Margaret Martin.
Q What is the name of your wife? A Etta Taylor.
Q How old is she? A Twenty eight.
Q Is she a Cherokee citizen by blood? A No sir; white woman.
Q Have you any certificate of marriage? A Yes sir; I have a licence; I was married in the Choctaw Nation.
Q Your wife is a white woman, is she? A Yes sir.
Q What was her name before you married her? A Johnson.
Q Are you on the roll of 1880? A I suppose I am.
Q Were you always called Isom Taylor? A Yes sir.

By Mr. W. W. Hastings, Cherokee Representative:

Q How long have you been living continuously in the Cherokee Nation?
A For the last eighteen or nineteen years; since my dad died; he has been dead eighteen years.
Q Your father died in the Choctaw Nation? A No sir; Cherokee.
Q What district? A Canadian.
Q Were you living there then? A Yes sir.
Q How long had your father been living in the Cherokee Nation just before his death? A About eight or ten years.
Q Where were you living? A He and my mother were parted.
Q And you lived with your mother? A I was living with my grand father.
Q What is his name? A John Taylor.
Q Where did he live? A Canadian District.
Q What is your grand father's initial? A John Martin Taylor.
Q What is your grand mother's name? A I do not know.

By the Commission:

Q You do not know whether your name is on the roll of 1880, or not?
A No sir; I do not know, but I think my father registered me.
Q Was your mother living in 1880? A Yes sir.
Q And her name was Margaret? A Yes sir.

By Mr. W. W. Hastings, Cherokee Representative:

Q White woman? A No sir.
Q Did the census takers enroll you four years ago? A No sir.
Q Why? A I do not know; they said I was living in the Choctaw Nation.
Q Did you draw strip money? A Yes sir; I drew grass money and I drew bread money.

By the Commission:

✓ (1894 Roll, Page 99, #2093, Isom Taylor, Canadian District)

The applicant presents a certificate of marriage, certifying that

he was married on the 15th of August, 1891, to one, Ida Johnson, a citizen of the United States, under the name of Richard Taylor, said marriage having occurred in the Choctaw Nation: Certificate is duly recorded in the records of Sans Bois County, Choctaw Nation, which certificate of marriage is filed herewith.

His name is not found on the authenticated roll of 1880, nor upon the census roll of 1896, but it is found on the pay roll of 1894, as indicated in the testimony: Satisfactory proof not having been made as to his citizenship, final judgment as to his enrollment will be suspended, and his name, and that of his wife will be placed upon a "Doubtful Card".

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A. P. Craven

Subscribed and sworn to before me
this 12th day of September, 1900.

C. M. [Signature]

COMMISSIONER.

FILED
DEC 1804
COMMISSION TO FIVE TRIBES.

Cherokee D-245.

Department of the Interior
Commission to the Five Civilized Tribes.
Muskogee, I.T., November 23, 1904.

SUPPLEMENTAL PROCEEDINGS in the matter of the application for the enrollment of Isom Taylor as a citizen by blood of the Cherokee nation.

It appears that on November 4, 1904, the applicant, his attorney and the attorney for the Cherokee Nation were duly notified by letter that each of them would be given an opportunity to appear before the Commission at Muskogee, Indian Territory, and introduce testimony touching the contents mentioned in said letter.

APPEARANCES:

Applicant appears in person and by attorney I. P. Bledsoe Cherokee Nation by W.W. Hastings.

THOMAS PEGG being duly sworn, testifies as follows, through Interpreter, John Gunter.

BY COMMISSION:

- Q What is your name? A Thomas Pegg
Q How old are you? A Forty-eight.
Q What is your post office address? A Salina
Q Are you a Cherokee Indian by blood? A Yes, sir
Q Are you acquainted with Isom Taylor? A Yes, sir
Q How long have you known him? A Fifteen years or more.
Q Are you any relation to Isom Taylor? A Isom's mother was a half sister of mine.
Q Where is Isom living? A Right close to where I live, in Salina District.
Q How long has he lived there to your knowledge? A Ever since I came there, he was there
Q Did you know the father of Isom Taylor? A No, sir.
Q Was his mother a full-blood Cherokee? A No, sir, halfblood
Q Is Isom's mother living? A No, sir, she is dead.
Q When did she die? A I don't know
Q Do you know where your sister, or half-sister, married Isom's father? A No, I don't know.

BY MR. HASTINGS:

- Q You say Isom's mother was a halfblood Cherokee? A Yes, sir.
Q She was your half-sister? A Yes, sir
Q You and Isom's mother had the same mother? A Yes, sir
Q Was your mother a full-blood Cherokee? A Yes, sir.
Q And her name was Takie, you said? A No, sir, Peggie, Peggie Bighead.

Lucy M. Bowman, being first duly sworn, states that

as stenographer to the Commission to the Five Civilized Tribes she correctly recorded the proceedings and testimony in the above case, and that the above is a full true and correct transcript of her stenographic notes thereof.

Louise M. Bannister

Subscribed and sworn to before me this 8th day of December, 1904.

Charles D. Sawyer
Notary Public.



THE
SPECIAL
AGENCY
FOR THE
INDIAN
COMMISSION

---200---

TO THE
COMMISSIONER
OF THE
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COMMISSION

FROM
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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, January 10, 190 .

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of Isom Taylor as a citizen by blood of the Cherokee Nation.

JOHN C. WEST being first duly sworn states as follows:

BY THE COMMISSION:

Q What is your name? A John C. West.

Q Where do you live, Mr. West? A Muskogee at the present time. My allotment is in the Cherokee Nation.

Q How old are you? A 52.

Q Are you a Cherokee by blood? A Yes, sir.

Q Are you acquainted with a person by the name of Isom Taylor?

A No, sir.

Q You are not personally acquainted with Isom Taylor? A No, sir.

Q Mr. West the names of the parents of Isom Taylor, as shown by the Commission's records, are Richard Taylor, the father, and Mary Martin, the mother. Are you acquainted with either of the parents of this boy? A I knew Richard Taylor, but I don't know the woman by Mary, her name was Peggy. She was a full blood Cherokee and if she had any other name I didn't know it. She lived with a man by the name of Walker Gary.

Q Where did you know Richard Taylor? A I knew him on Canadian River.

Q In the Cherokee Nation? A No he lived in the Choctaw Nation the time I knew him and his girl lived on this side in the Cherokee Nation. It was about '92 or '97 when they were married, the best of my knowledge.

Q Was Richard Taylor married at that time? A No, sir, he was a young man.

Q Were you acquainted with the woman he afterward married, whose name you say was Peggy? A Yes, sir.

Q What was her maiden name? A That is the only name that I knew her by.

Q She was a full blood Cherokee? A Yes, sir.

Q Was Richard Taylor a Cherokee Indian by blood? A His father was a Cherokee and his mother was a Choctaw was my understanding. Now I know Taylor was a Cherokee but his mother, I don't know, I think she was a Choctaw.

Q Did Richard Taylor ever live in the Cherokee Nation to your knowledge? A No, sir, I can't say whether he did or not. I have been at Peggy's home after she married a white man.

Q Did she marry a white man after Taylor's death? A Yes she married a white man but I don't remember of Taylor dying at all.

Q Will she had lived with Taylor prior to her marriage to this white man? A Yes, sir.

Q Did you ever see Isom Taylor? A No, sir, I don't remember that I ever saw him.

Q What is your knowledge as to his being the child of Richard Taylor and Peggy? A I have no knowledge at all.

Q You don't know anything about it? A No, sir.

Q Well do you know whether Peggy and Richard had a child by that name? A No, sir.

Q You don't know anything relative to their children? A Not a thing.

BY MR. BLECKOE:

Q Where did this woman Peggy live? A In what they called Gap Prairie in the Canadian District.

Q Do you know where this Richard Taylor lived? A No, sir.

Q Was Peggy always considered a Cherokee Indian? A Yes, sir.

Q Was Richard Taylor always considered a Cherokee? A Yes, sir.

Q You know they had some children? A No, sir, I don't know.

Q And their residence was in Canadian District? A Yes, sir, the time I knew them.

Q About when was that? A The best of my knowledge '94 or '95, it might have been prior to that, I don't know.

Q Did you know anything about Peggy having any brothers? A No, sir.

BY THE COMMISSION:

Q You saw Peggy did you, about the time, or prior to her marriage to Taylor, had you ever seen her? A Yes, sir.

Q Did you say she was then living with Walker Cary? A Yes, sir.

Q When was that? A In '66.

Q Then do you know where she lived from that time on until you knew her living with a white man in the Cherokee Nation? A They went to the Choctaw Nation next after they were married and then the next time I heard she was living with a white man in the Canadian District.

Q When was the next time you heard of her after '66? A It was about '94 or '95, or it might have been before that.

Q And you don't know where she lived from '66 until '94 or '95, except you understood she lived in the Choctaw Nation? A That is where they went when they were married.

BY MR. BLECKOE:

Q You don't know of your own knowledge what time they came back to the Cherokee Nation? A No, sir.

---oOo---

Opal Griggs being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes she reported the above and foregoing proceedings had on the 10th day of January, 1905, and that the above is a full, true and correct transcript of her stenographic notes thereof.

Subscribed and sworn to before me this 12th day of January, 1905.

Opal Griggs

[Signature]

Notary Public.

In the matter of the appeal of the Government against the decision of Isom Taylor et al., as set forth on page 10 of the report.

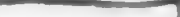
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The record in this case is that on April 12, 1900, Isaac Taylor obtained a grant from the Government, at Pryor Creek, Indian Territory, and was entitled for the grant of 400 acres, and a portion of the same was sold to Isaac Taylor, and the balance of the same was sold to the Government. Further proceedings were made in the matter of the same grant, and on April 15, 1900, Isaac Taylor, on April 15, 1900, and on April 15, 1900, the right of the same was sold to Isaac Taylor, and the same was sold to Isaac Taylor on April 15, 1900.

The evidence in this case shows that the applicant, Isaac E. Turner, was about 17 years of age at the time he filed an application for enrollment; that he is a Cherokee Indian by blood; that he was born in 1890, at Atoka, Oklahoma; and that he has made his home continuously there. The enrollment of Isaac E. Turner in the 1904 Strip Payment Roll, Tulsa County, Oklahoma, is dated November 20, 1903.

1. The first step is to identify the problem. This involves understanding the situation and the goals that need to be achieved. It is important to gather all relevant information and to define the problem clearly.

CONSTITUTION OF THE CIVILIZED TRIBES.



C. R. B. Linsay

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32 *Mar 10 1900*

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IN RE
THE DEATH OF

James Taylor

James Taylor
A CITIZEN OF THE

United States Nation

Approved

190

Commissioner

Aug

LB 9-26-5

**Department of the Interior,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.**

In the matter of the death of

William Taylor

His name and name of tribe

husband of the *Cherokee*

Nation who he belonged to

William Taylor *Cherokee* *3rd*

Dec

1907

AFFIDAVIT OF RELATIVE

I, *Etter Taylor*
years of age and a citizen of *Georgia*

on oath state that I am

Thirty Six
Cherokee Nation

that my next of kin address

Indiana

the place where I live

Cherokee

Ind. Ter

Indiana

William Taylor
His name and name of tribe

who was a citizen of

Georgia

of the

Cherokee

Nation

and that

William Taylor

His name and name of tribe

died on the

3rd

day of

Dec

1907

WITNESS TO MARK

Etter Taylor

Must Be Two Witnesses

Subscribed and sworn to before me this

8th

day of

Aug
H. L. Belue

1908

Notary Public

my commission Expires Aug 20-1910

AFFIDAVIT OF ACQUAINTANCE

I, *Taylor Eaton*
years of age, and a citizen of *Georgia*

on oath state that I am

Thirty Six
Cherokee Nation

that my postoffice address is

Indiana

the place where I live

Cherokee *Ind. Ter*

that I was personally acquainted with

William Taylor

His name and name of tribe

who was a citizen of

Georgia

of the

Cherokee

Nation

and that said

William Taylor

His name and name of tribe

died on the

3rd

day of

Dec

1907

WITNESS TO MARK

Taylor Eaton

Must Be Two Witnesses

Subscribed and sworn to before me this

7th

day of

Aug
H. L. Belue

1908

Notary Public

my commission Expires Aug 20-1910

COPY

Cherokee: D-245.

Muskogee, Indian Territory, March 21, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1905, granting the application for the enrollment of Isom Taylor as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof wit in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. S-52.

SIGNED:

Tame Dixby.
Chairman.

COEY.

Cherokee D-245.

Muskogee, Indian Territory, April 11, 1905.

Isom Taylor,

Salina, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-14

SIGNED: *T. B. Needles*
Commissioner in Charge.

Cher 10876

Jesse Eldridge

Trans. from D794

Cher 10876

✓

28

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-c0c-

In the matter of the application for the enrollment as
citizens by blood of the Cherokee Nation of:-

JENNIE PARKHILL, et al., Cherokee D-794.

-c0g-

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED

OCT 24 1890

[Handwritten signature]

ACTING CHAIRMAN

REJECTED AS TO applicant and children—MEMORANDUM AS TO THEM

Straight as to niece Parthana Haney
Department of the Interior,
Commission to the Five Civilized tribes,
Claremore, I. T. October, 24th 1900.

In the matter of the application of Jennie Parkhill for the enrollment of herself, three children and a niece. She being sworn testified before the Commission as follows—

- What is your name? A. Jennie Parkhill.
Q How old are you? 45
Q What is your post office address? A. Vera, I. T.
Q What district do you live in? A. Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A. I suppose so, but my name has been scratched off the rolls.
Q What is the cause of your name having been scratched off the roll?
A I don't know, I am on the roll of 1880 as Jennie Vann.
Q Who do you want to have enrolled? A. Myself, 3 children and a niece.
Q What are the names of your children? A. Jessie Eldridge age 18; Emma A. Parkhill age 9 and Nan Parkhill age 5 years.
Q What is the name of your niece? A. Parthana Haney age 10 years.
Q Are you married? A. Yes sir.
Q What is your husband's name? A. Abe Parkhill.
Q Is he a citizen of the Cherokee Nation by blood? A. White.
Q Are you living with him now? A. Yes sir.
Q When did you marry him? A. I don't know.
Q Is he a non-citizen? A. Yes sir.
Q You never were married according to the laws of the Cherokee Nation? A. No sir.
Q Have you ever been married before? A. Yes sir.
Q What was your first husband's name? A. Thompson Vann.
Q Was he a citizen by blood? A. Yes sir.
Q When did you marry him? A. I don't know when.
Q Was it over 30 years ago? A. Yes sir I think about 23 years ago.
Q Where were you born? A. In Arkansas, but was born in Going-snake district.
Q When did you come to the Cherokee Nation? A. My mother came here in 1870
Q Was she an Indian? A. Yes sir.
Q What was her name? A. Mann
Q Was your maiden name Mann? A. No sir it was Hayney.
Q What was the given name of your mother? A. Parthana.
Q Did you draw strip money in 1894? A. Yes sir.
Q Are you on the roll of 1896? A. Yes sir.
Q When were you married to Parkhill? A. 6 years ago,
Q Jessie Eldridge is your child? A. Yes sir.
Q Is her father a white man? A. No sir a Cherokee
1880 roll, page 99, Nolois, Armstrong Eldridge, Cooweescoowee.
Q Have you any proof of marriage to him? A. No sir was never lawfully married to him, we lived together until he died.
Q Who was Parthana Haney's mother? A. A Shawnee woman.
Q What was her father's name? A. Jake Haney.
Q Was he a white man? A. He was my brother.
Q Is he living? A. No sir.
Q What was Parthana Haney's mother's name? A. Maranda, her maiden name was Waldon.
Q Was she a citizen by blood? A. Yes sir.
Q Is Parthana Haney, Maranda Waldon's child? A. Yes sir.
1880 roll page 344, No 3102, Maranda Walton, Delaware Dist.
1898 345 239 Thonie Haynie, Cooweescoowee (SHAWNEE)
Q The father of Emma and Nan Parkhill is a white man is he? A. Yes.
Q Is he living? A. Yes sir.
Q He is your present husband? A. Yes sir.
Q Jessie Eldridge is a child by Armstrong Eldridge is she? A. Yes sir

The applicant, Jennie Parkhill applied for the enrollment of herself and three children, Jessie Eldridge, Emma and Nan Parkhill and also

Jeanie Parkhill 3.

for the enrollment of a niece named Parthana Haney. She avers that her maiden name was Haney, and that she lived with a man named Eldridge, was married to a man named Vann and is now married to a man named Parkhill. She is not identified on any of the rolls of the Cherokee Nation under any of the above names, and under the provisions of an act of Congress of May 31st 1880 the Commission is without jurisdiction to receive or consider or make any record of your application for the reason that you are not a recognized citizen of the Cherokee Nation and duly and lawfully enrolled as such and therefore a memorandum will be made of the fact that you have applied and if you desire that this be reported to the Secretary of the Interior when the final rolls of Cherokee citizens are sent to him for his approval, it will be done upon a request in writing from you. Consequently your application for yourself and for your children, Jessie Eldridge, Emma Parkhill and Nan Parkhill will be rejected.

The name of Parthana Haney is found on the census roll of 1880. It is avered that she is the child of Haranda Waldon and her name is on the authenticated roll of 1880, she now being deceased. Said Parthana Haney being duly identified and having made satisfactory proof as to residence she will be listed for enrollment as a Cherokee by blood.

Chas. von Weise being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause and that the above is a true, correct and complete transcript of his stenographic notes in said proceeding.

Chas von Weise

Subscribed and sworn to before me this the 24th of October, 1900.

Wm. H. ...
Commissioner
Wm. H. ...

711
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 24 1900

D. . 1074

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Handwritten signature

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., November 14, 1900.

In the matter of the application for the enrollment of Jesse Eldridge as a Cherokee citizen.

Jennie Parkhill, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Jennie Parkhill.

Q For whom do you apply? A Jesse Eldridge.

Q How old is he? A Eighteen.

Q What is the name of his mother? A Jennie Parkhill.

Q What is the name of his father? A Armstrong Eldridge.

Q Is he living? A No, sir.

Q Was he a Cherokee citizen by blood? A Yes, sir.

Q When did he die? A About 12 years ago.

Q You were never married to him? A No, sir.

Q This child was born while you were living with him, but not married to him? A Yes, sir. (1811)
(1880 roll, page 99, No. 1018, Armstrong Eldridge, Cooweescoowee district.)

Q What is your first husband's name? A Thompson Vann.

Q Was he a Cherokee citizen by blood? A Yes, sir.

Q Were you ever married after his death until you married Parkhill? A No, sir.

Q Parkhill was a white man? A Yes, sir. (from)

Q Then you were a citizen by intermarriage ~~marks~~ the time you married Vann until you married Parkhill? A Yes, sir.

By W.W.Hastings, Cherokee representative: How long did you live with Eldridge? A About six years.

Q Was this child born while you were living together? A Yes, sir.

Q Did you live with him continuously for six years? A Yes, sir.

Q And this child was born to you during that time? A Yes, sir.

By the Commissioner: Did Vann die before 1880? A Yes, sir.

(On 1880 roll, page 195, No. 3109, Jennie Vann, Cooweescoowee district, adopted colored.)

Q Your name appears upon the 1880 roll as an adopted colored person; was that a mistake? A Yes, sir.

Q You never were a colored person? A No, sir, I never was.

Q You were either white or Indian? A Yes, sir.

(1896 roll, page 153, No. 1619, Jesse Eldridge, Cooweescoowee dist.)

Q Did you draw money in 1894? A I do not know.

(1894 roll, page 302, No. 8980, Jesse Eldridge, Cooweescoowee dist.)

The name of Jesse Eldridge appears upon the census roll of 1896 and upon the pay-roll of 1894. The applicant avers that she was married originally to one Thompson Vann, a Cherokee citizen by blood, and her name is found upon the authenticated roll of 1880 as adopted colored, she averring that that is a mistake; she should have been enrolled as an adopted white. Since the death of Thompson Vann, her husband, she has had one child named Jesse Eldridge, whose father she avers was Armstrong Eldridge, a citizen of the Cherokee Nation, and his name appears upon the authenticated roll of 1880. She avers that she was not married to said Armstrong Eldridge, but she was a citizen at the date of the birth of the said Jesse Eldridge, by intermarriage. She afterwards married a white man by the name of Abraham Parkhill, who is now living. Her enrollment has been refused because of the fact that her present husband is a white man, she having married out, under the laws of the Cherokee Nation. Final judgment as to the enrollment of Jesse Eldridge will be suspended, and his name will be placed upon a doubtful card. The weight of the testimony, although, would presume that said Jesse Eldridge is entitled to enrollment as a Cherokee citizen by blood. Reference is also made to the testimony of the

Jesse Eldridge - 2.

said Jennie Parkhill in the matter of her own application, which will be found on Rejected Card No. 153.

Memorandum

R. R. Craven, Esq. Being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

R. R. Craven

Sworn to and subscribed before me this the 14th of November, 1900.

C. A. Hendrix

Commissioner.

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CHEROKEES BY BLOOD AND ADOPTION.

Date 10/1 1900.

Name _____

Vera

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name: _____

District

Index

| Rate |
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No.

Citizen by blood

Mother's citizenship

Year _____ Page _____ No. _____
Arresting Elanore

Jessie Paxwell

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Names of Children:

| | | | | | | | |
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S U P P L E M E N T A L T E S T I M O N Y .

"D" #794.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., FEBRUARY 12th, 1901.

IN THE MATTER OF THE ENROLLMENT OF Jesse Eldredge:
Charles H. McClellan, being sworn and examined by Commissioner, J.
E. Breckinridge, testified as follows:

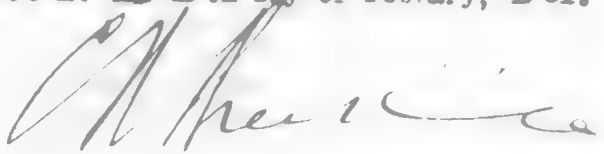
- Q Give me your full name? A Charles H. McClellan.
Q How old are you? A Fifty five.
Q What is your Postoffice? A Claremore.
Q In what district do you live? A Cooweescoowee.
Q You want to give some evidence in regard to the enrollment of Jesse Eldredge, do you? A Yes sir.
Q Do you know the mother of Jesse Eldredge? A Yes sir.
Q Give me her name? A Jennie Vann she always went by.
Q Her maiden name was what? A Hainey.
Q Is she still living? A Yes sir.
Q She's a white woman, is she? A I don't know.
Q She is not a Cherokee by blood? A No sir; so decided by the Council; they tried to prove their rights before the Cherokee Council and failed to establish any rights. She's dark complected.
Q Does that come from Indian or freedman blood? A I have heard it comes from freedman blood; I don't know; I knew her mother.
Q Who was her first husband? A Thompson Vann.
Q He was a Cherokee, was he? A Yes sir.
Q He is dead, is he? A Yes sir.
Q After his death, did she live with a man named Eldredge?
A Yes sir.
Q Armstrong Eldredge? A Yes sir; they called him Strong Eldredge.
Q How long did she live with this man Eldredge? A I don't know.
Q Was he a Cherokee or a white man? A He looked like a white man; He claimed to be a Cherokee; I guess he was.
Q Do you know anything about her ever having been married to Eldredge? A No sir; I don't think they ever married.
Q What testimony do you wish to give in this? A That is all; they wanted me to testify that I knew that they lived together; they don't claim that they were married; they lived there together right near my ranch.
Q Did they live in the same house? A Yes sir.
Q They occupied the same house? A Yes sir.
Q Was she considered as his wife at the time?
A I don't know.
Q Did she go by his name? A I don't think she ever did.
Q He never held her out to the community as his wife?
A I don't know; I think they called her Jennie Eldredge.
Q While she was living with him? A Yes sir.
Q That was the name she had in the neighborhood? A Yes sir.
Q And they lived for some time together? A Yes sir, several years; I don't know how many.
Q Did this man Eldredge ever speak to you about this woman? A I suppose he has.
Q Did he speak of her as his wife? A I don't remember.
Q Did she ever speak to you about him? A I don't recollect.
Q Do you recollect of her ever referring to him as her husband?
A I don't recollect; they lived together is about all I know about it.

"D" #794.

--2--

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

W. R. Harrison
Subscribed and sworn to before me ~~the~~ 13th day of February, 1901.



COMMISSIONER.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., December 19, 1901.

Upon a review of the testimony taken in the matter of the application of Jennie Parkhill for the enrollment of herself and three minor children, Jesse Eldridge, Emma A. Parkhill, and Nan Parkhill, and her niece, Parthana Haney, as citizens by blood of the Cherokee Nation, it is found that the enrollment of the applicant and her three minor children was denied by the Commission October 24, 1901, for the reason that the application appeared to have come within the provision of the Act of Congress of May 31, 1900 (31 Stats. 221). Her niece, Parthana Haney, was duly listed for enrollment.

The applicant stated that her name appears on the Authenticated roll of 1880 as Jennie Vann, that having been the name of her former husband.

On the 14th day of November, 1901, the said Jennie Parkhill appeared again before the Commission, and made application for the enrollment of her son, Jesse Eldridge, as a citizen by blood of the Cherokee Nation, whose name was included in her application of October 24, 1901, and whose enrollment was on that date denied.

It appears from the testimony offered in support of the latter application, that the said Jesse Eldridge was duly identified on the Census roll of 1896 and the strip payment roll of 1894; that his father, Armstrong Eldridge, was identified on the roll of 1880, and that his mother, the applicant, Jennie Parkhill, was identified on said rolls as Jennie Vann, an adopted colored citizen, in Cooweescootee District, page 195, No. 3100.

In view of these facts it is directed that Cherokee Memorandum Case No. 152, that of Jennie Parkhill et al, be cancelled; that their names be transferred to Cherokee roll card field No. D. 794, that of Jesse Eldridge; that the testimony had in the matter of the application of Jennie Parkhill et al be filed in Cherokee Case No. D. 794, and that copies of this order be filed therein.


Commissioner.

transcript of my stenographic notes there of.

times in this case and that the Jolekskoff is a fine and complete sign to the Kiva qualified tribes I collected. Incorporated in the record of J. D. Green, do hereby certify that as aforesaid, given in the Committee.

THE CUBAN OF INTEREST.

After the outbreak of the war, the
Government of the United States
has been very active in the
effort to bring about a
peace settlement. The
Government has been very
active in the effort to
bring about a peace settlement.
The Government has been very
active in the effort to
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The Government has been very
active in the effort to
bring about a peace settlement.

COMMENTS: The first part of the evidence in terms is considered completed and will be reported to the relevant of the Chinese National Bureau of Investigation. The information in the above is for the relevant.

IN THE CASE OF A MORTUARY, THE
COMMISSION OF MR. ATTORNEY GENERAL
1919

publ. et conf. - not a spec.

significant this day: tonight, the 10th day of March, 1903, the first receipt has been acknowledged by the Commission, a letter by the Inspector, Indian Territory, on the 10th day of March, 1903. For final consideration by the Commission of its affairs, Councils and children are subjects of great work and value in the Indian Territory, and the Commission is not the only one of its kind in the world, and the Commission is not the only one of its kind in the world.

Mr. C. J. ...

[illegible]

CONFIDENTIAL TO THE STATE DEPARTMENT OF THE INTERIOR

R

C. D-794

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 10, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of
Jennie Parkhill for the enrollment of herself and children as
Cherokee citizens.

Appearances:

Mr. Smith, of Mellette & Smith, Vinita, I.T., attorneys
for the applicants;
W.W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter
February 18th 1902, that her application for the enrollment of
herself and children as Cherokee citizens would be taken up
for final consideration by the Commission at its offices
in Muskogee, Indian Territory, on the 10th day of March, 1902.
Receipt has been acknowledged of the Commission's letter and the
applicant this day: to-wit: the 10th day of March, 1902, appears
by her attorneys, Mellette & Smith.

BY COMMISSION OF MR. SMITH: Any statement you desire to make
in the case? A Nothing.

BY COMMISSION: The attorney for the applicant and the rep-
resentative of the Cherokee Nation present submit the case;
same is considered completed and will be reported to the
Commission for final decision based upon the evidence now of
record.

The attorney for the applicant requests and will be
granted 15 days in which to file a brief in the case, one copy
with the Commission and one copy with the representative of
the Cherokee Nation.

I, M.D. Green, do hereby certify that as stenographer to the Commis-
sion to the Five Civilized Tribes I correctly recorded the proceed-
ings in this case and that the foregoing is a true and complete
transcript of my stenographic notes thereof.

M.D. Green

1594

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JUL 3 1902


NATHANIEL D. SMITH
ACTING CHAIRMAN

1594
1594

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskegee, Indian Territory, July 29th, 1902.

In the matter of the application of Jennie Parkhill for the enrollment of herself and children--Emma Parkhill, Nan Parkhill and Jesse Eldridge--as citizens of the Cherokee Nation by blood.

SUPPLEMENTAL TO D-794.

Appearances:

Applicant appears in person.
Cherokee Nation by J. C. Starr.

JENNIE PARKHILL, being duly sworn, testified as follows:

Examination by the Commission.

- Q. What is your name? A. Jennie.
Q. Jennie Parkhill? A. Yes, sir.
Q. How old are you? A. 51 my next birthday.
Q. What is your post office address? A. Vera.
Q. What is your father's name? A. Ben Haney.
Q. Is he living or dead? A. Dead.
Q. What was his citizenship? A. White man.
Q. What was your mother's name? A. Humphrey.
Q. Her given name? A. Parthena Haney.
Q. Is she living? A. No, sir; she is dead.
Q. Was she a Cherokee? A. Yes, sir.
Q. Where were you born? A. I guess I was born in Arkansas.
Q. How long have you been living in the Cherokee Nation? A. Ever since I was small; I don't remember ever coming here.
Q. Have you ever been outside for the purpose of making a home? A. No, sir.
Q. Been living here continuously since the war? A. Yes, sir.
Q. All your children born here? A. Yes, sir.
Q. Have they always lived here? A. Yes, sir.
Q. Who is the father of Jesse Eldridge? A. Armstrong Eldridge.
Q. Is he living or dead? A. Dead.
Q. What was his citizenship? A. Cherokee.
Q. Who is the mother of Emma and Nan? A. Me.
Q. Who is the father? A. Abe Parkhill.
Q. What was his citizenship? A. He was a white man.
Q. Have you always been recognized as a citizen by blood of the Cherokee Nation? A. Yes, sir.
Q. Have you always drawn money with the Cherokees by blood? A. I didn't the last money. I didn't draw the strip money but my children did.
Q. Did you draw the strip money with the Freedmen? A. No, sir.
Q. You didn't draw it at all? A. No, sir; I didn't draw it at all.
Q. How much Cherokee blood do you claim? A. Quarter.

EMALINE GREEN, being duly sworn, testified as follows:

Examination by the Commission.

- Q. What is your name? A. Emaline Green.
Q. How old are you? A. They all says I am 55.
Q. How long have you known Jennie Parkhill? A. I have known her a long time.
Q. Did you know her father? A. Yes, sir.
Q. What was he, a white man? A. He was a white man.
Q. What was her mother? A. I don't know much about her. She was in Goingsnake district living close to her brothers.

- Q. Was she a Cherokee or white woman? A. She was a Cherokee.
Q. Always lived in the Cherokee Nation? A. Yes, sir.

JOHN KIRK, being duly sworn, testified as follows:

Examination by the Commission.

- Q. What is your name? A. John Kirk.
Q. How old are you? A. 45.
Q. What is your post office address? A. Oologah.
Q. How long have you known the applicant in this case? A. I have known her since about '74.
Q. Is she recognized as a citizen by blood of the nation? A. Always been. That is my understanding. She has been recognised as a citizen of the Cherokee nation.
Q. Have you ever heard it said she was not a citizen by blood?
A. No, sir; I never heard it.

BEN GRASS, being duly sworn, testified as follows:

Examination by the Commission.

- Q. What is your name? A. Ben Grass.
Q. How old are you? A. 41.
Q. What is your post office address? A. Collinsville.
Q. How long have you known the applicant in this case, Jennie Parkhill? A. Why, I don't have any idea. Since I was small, though, a small boy.
Q. Always known her as a Cherokee by blood? A. Always what I heard her to be--Cherokee.
Q. Have you ever heard her rights disputed? A. I heard some dispute.
Q. Do you know whether she possesses any colored blood? A. No, I don't.
Q. Did you know her mother? A. Yes, sir.
Q. Was her mother recognized as a Cherokee or freedman? A. I reckon she was always recognized as a Cherokee.

JENNIE PARKHILL, being recalled, testified as follows:

Examination by the Commission.

- Q. How often have you been married? A. Three times.
Q. What was the name of your first husband? A. Thompson Vann.
Q. Was he a Cherokee? A. Yes, sir.
Q. How long ago has it been since you were married to him?
A. About 25 years ago.
Q. How long did you live with him after you were married?
A. I don't know, 10 or 12 years.
Q. Were you living with him when the roll of 1880 was made?
A. No, sir.
Q. You say you were married 25 years ago and lived with him 10 or 12 years. A. I said I thought that long. I was married in Tahlequah district and moved to here.
Q. Is it less than 10 years? A. No, sir, longer than that.
Q. Did you have any children? A. Yes, sir.
Q. About how old would the oldest child be? A. 23 years if she was living.
Q. When did you marry Armstrong Eldridge? A. About 18 or 19 years.
Q. Were you sometimes known by the name of Jennie Vann? A. Yes, sir.
Q. Did you draw money for this child Emma? A. No, sir.
Q. Why not? A. Well, they didn't enroll her.
Q. Did you apply to them? A. Yes, sir.
Q. What did they tell you? A. Said I couldn't draw for her/
Q. How often have you drawn money? A. Twice. Drawed when Bushyhead was chief--at Vinita; then I drawed at Cowalah. I drawed at Vinita when Bushyhead was chief. When Jess Cochran and John Chambers was the census takers they dropped me off. Right where

I live was where I was dropped off and where I was enrolled.

Q. Have you ever been recognized as a Cherokee by blood or have you always been known as a white woman? A. No, sir; I been known as a Cherokee woman and claimed so all my life.

Q. You said, when you appeared before the Commission at Claremore in November, 1900, to make application for this child Jesse, that you were a white woman? A. No, sir, I didn't mean that. If I did I made a mistake.

Q. How many children have you had? A. Why I have had eight.

Q. Are any living besides these three? A. Just three, that is all that is living.

Q. Did you draw any money for Jesse other than the strip money in 1894? A. Yes, sir; I drew on every roll.

Q. How long ago since you have been allowed to draw money?

A. Since the 81 payment.

Q. Ever drawn since that time? A. No, sir.

Q. Never been enrolled since that time, either, have you?

A. No, sir.

Q. Have you any sisters? A. Yes, sir.

Q. Are they living? A. Yes, sir.

Q. What are their names. Nan Rogers and Ellen Paris.

Q. Where are they living? A. One lives at Skiatook and one of them lives in the Osage nation.

Q. Either of them enrolled as Cherokees? A. No, sir.

Q. Not claimants, are they? A. They are claimants. I don't know whether Nan Rogers is or not. I don't look after them.

Q. They have the same father and mother you have? A. Yes, sir.

By Mr. Starr:

Q. Did you have a daughter named Sarah? A. Yes, sir.

Q. Where is she living now? A. She is dead.

By the Commission:

Q. When did she die? A. About 5 years ago.

Q. Did you ever apply to the Cherokee national council for citizenship in the Cherokee Nation? A. No, sir; my mother did.

Q. Did they admit you or deny you? A. I guess my mother was admitted. When I come here I was a minor heir.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 30th day of July, 1902.

Jesse O. Carr
[Signature]
Notary Public.

Cherokee 2-794.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment of
Jennie Parkhill, et al., as citizens by blood of the Cherokee Nation.

---: DECISION :---

It appears from the record herein that on October 24, 1900, Jennie Parkhill appeared before this Commission at Claremore, Indian Territory, and made a personal application for the enrollment of herself, her three minor children, Jesse Eldridge, and Emma A. and Nan Parkhill, and her niece, Partena Hayney, as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application, at Claremore, Indian Territory, on November 14, 1900, and Muskogee, Indian Territory, on December 19, 1901 and July 22, 1902.

It appears from the records of the Commission that the right of Partena Hayney to enrollment has heretofore been determined, her name appearing as No. 30258 upon a list prepared by this Commission of persons entitled to enrollment as citizens by blood of the Cherokee Nation, and approved by the Secretary of the Interior June 11, 1903.

The evidence shows that Jesse Eldridge is the illegitimate son of Jennie Parkhill, the principal applicant herein, by one Armstrong Eldridge, who is identified upon the 1880 Authenticated Cherokee Roll as a native Cherokee. The said Jesse Eldridge is duly identified upon the 1880 Authenticated Roll of the Cherokee Nation as an "adopted colored," but the evidence clearly shows that said enrollment is an error and that she should have been enrolled as a native Cherokee.

The evidence further shows that Emma A. Parkhill and Nan Parkhill are the children of said Jennie Parkhill by her husband, Abe Parkhill, a noncitizen white man. Jennie Parkhill is duly identified upon the 1880 Authenticated Roll of the Cherokee Nation as an "adopted colored," but the evidence clearly shows that said enrollment is an error and that she should have been enrolled as a native Cherokee.

It further appears that Jennie Parkhill has continuously resided in the Cherokee Nation since 1880 up to and including the date of this application, and that the minor applicants herein were born, and have always resided, in the Cherokee Nation.


It is therefore the opinion of this Commission that
Jennie Parkhill, Jesse Eldridge, Emma A. Parkhill and Nan Parkhill ✓

should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section Twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman


Commissioner.


Commissioner.

Muskogee, Indian Territory,

MAR 16 1905

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1890

MISSOURI STATE ARCHIVES
MISSOURI STATE ARCHIVES

FILED

FEB 10 1902

MISSONERS
HENRY L. DAWES
JAMES BIXBY
THOMAS B. NEEDLES
R. BRACKENRIDGE

ALFRED A. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902

Jennie Parkhill,

V e r a, Indian Territory.

Madam:

You are hereby notified that the application of yourself, and three minor children

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D. 794
Register

~~XXXXXXXXXXXX~~
Acting Chairman,
Commissioner in Charge.

Cherokee D 794

Muskogee, Indian Territory, May 31, 1902.

Jennie Parkhill,

V e r a, Indian Territory.

Madam:

From an examination of the testimony in the matter of your application for the enrollment of yourself and your children it appears that you are identified on the 1880 roll under the name of Jennie Vann as an adopted colored person. You testify that such description of you is error, but the evidence fails to show whether you are a white woman or an Indian. As the determination of this question is important relative to the right of yourself and children to be enrolled, you are requested to appear before the Commission on or before June 14, 1902, and submit further evidence as to whether you possess white or Indian blood, and as to how your name came to be upon the roll of 1880.

You will also be required to show whether you have resided in the Cherokee Nation since 1890, and whether you are still a resident of said Nation.

Yours truly,

Commissioner in Charge.

Register.

Cherokee D-754.

Muskogee, Indian Territory, January 14, 1903.

Philip C. Porter,

Agent in Charge of the Cherokee Land Office,
Vinita, Indian Territory.

Dear Sir:

In the case of Jesse Eldridge, et al., Cherokee D. 754, the applicant, Jennie Parkhill, gives the name of her mother as Parthena Hanev and of her two sisters as Nan Rogers and Ellen Paris. Information is desired as to whether the said Parthena Hanev, Nan Rogers or Ellen Paris, have ever made application to the Commission for enrollment as Cherokee citizens or Cherokee Freedmen. If either of them have made such application you are requested to transmit copies of the testimony in her case to the Cherokee Enrollment Division.

Straight cards numbers 1254 and 6946 have been examined, and it appears that the Ellen Paris on each of those cards is not the sister of Jennie Parkhill. It is believed, however, that Nan Rogers has made application to the Commission for enrollment. See Cherokee D. 903.

-2-

In the case of Jennie Parkhill, further information is necessary as to whether she is a native Cherokee or a colored person.

Respectfully,

Acting Chairman.

INDEXED.

JAN 20 1903

Cherokee Land Office,
Vinita, I. T.,
Jan. 17, 1903.

Reporting upon investigation
for identification of Jennie
Parkhill, et al.

Walt

COPY.

Cherokee D-794.

Muskogee, Indian Territory, March 16, 1906.

V. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 16, 1905, granting the application for the enrollment of Jennie Parkhill, et al. as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. S-144.

Tamr Dixby.
Chairman.

COPY.

Cherokee D-794.

Muskogee, Indian Territory, April 11, 1905.

Jennie Parkhill,

Vera, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 16, 1905, granting the application for the enrollment of yourself and your children, Jesse Eldridge, Emma and Nan Parkhill, as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

(SIGNED) *T. B. Needles.*

Commissioner in Charge.

Incl. S-13.

COPY.

Cherokee D-794.

Muskogee, Indian Territory, April 11, 1905.

Edgar Smith,

Attorney for Jennie Parkhill, et al.,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 16, 1905, granting the application for the enrollment of Jennie Parkhill, et al., as citizens by blood of the Cherokee Nation.

Respectfully,

Incl. S-14

(SIGNED)

T. B. Needles.
Commissioner in Charge.



C.

Cher 10877

William D. Cook

Trans. from D1141

Cher 10877

①
AFMS

✓

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
William D. Cook as a citizen by blood of the Cherokee Nation.

Cherokee D 1141

Best Fun Cook

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, IT., MARCH 14th, 1901.

In the matter of the application of William D. Cook for enrollment as a citizen of the Cherokee Nation; said Cook being sworn and examined by Commissioner Needles, testified as follows:

- Q What is your name? A William D. Cook.
Q What is your age, Mr. Cook? A 29.
Q What is your post office address? A Vinita.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood or intermarriage? A By blood.
Q You apply to be enrolled as a Cherokee citizen? A Yes, sir.
Q Whom do you apply for, anybody besides yourself? A No, sir; just myself.
Q Have you ever applied to be enrolled as a citizen of any other Tribe? A No, sir.
Q What is your father's name, Mr. Cook? A Henry Cook.
Q Is he living? A No, sir.
Q What is your mother's name? A Susan Sanders; that is her ~~name~~ maiden name.
Q Is she living? A Yes, sir.
Q What district were you in in 1880? A I think I was in Delaware District.

1880 Authenticated Roll of citizens of the Cherokee Nation examined and applicant's name identified thereon, page 78, #485, as Willie B. Cooks, in Cooweescoowee district.

- Q Your right initial is "D" is it? A Yes, sir.

1896 Census Roll of citizens of the Cherokee Nation and applicant's name found thereon, page 138, #988, as William D. Cook, Cooweescoowee district.

- Q How long have you lived in the Cherokee Nation? A Ever since I was born.
Q Living in the Cherokee Nation now? A Yes, sir; I am traveling now; of course I am on the road most of the time; I am delivering pictures for the National Picture Company.
Q Your home is in the Cherokee Nation? A Yes, sir.
Q Have you any property there? A Yes, sir.
Q Have you been married? A I have been married but I am divorced.

BY JOEL L. BAUGH, Cherokee Representative:

- Q Have you been living in St. Louis? A Yes, sir.
Q About eight years? A Not all the time, I have been living there at two different times.
Q When did you first go there? A In '88.
Q How long did you stay there? A I was there about three years that time.
Q And then you came back to the Cherokee Nation? A I came back to Vinita.
Q How long did you stay? A About six months.
Q And then where did you go? A St. Louis.
Q How long did you live there that time? A I was there about two years.
Q And then you returned? A Yes, sir.
Q Have you ever made a permanent home in the Cherokee Nation, lived here permanently, since you went there in 1886? A Well, I haven't lived here for any great length of time since that time.
Q Where were you married at, Mr. Cook? A St. Louis.

William D. Cook.--2.

Q You and your wife lived there afterwards until you separated?
A Yes, sir; we only lived together a short time.

COM MISSIONER NEEDLES:

Q Where were you living in 1898? A I was on the road in '98.
Q Had no permanent residence anywhere? A No, sir, mostly up in northern Kansas at that time.
Q The fact is then that you have had no actual, permanent residence in the Cherokee nation since 1888? A You might say I had no;-- unless I had called the Nation my home; I had no other home.
Q How long since you were divorced from your wife? A SIX years I believe.
Q Before that you were living with her in St. Louis? A Yes, sir.
Q Have you ever voted in any state? A No, sir.
Q Never voted? (No response.)

APPLICANT: I always had property here in the Cherokee Nation whether I was here or not.

BY JOEL D. BAUGH:

Q Where did you get your divorce, at St. Louis? A She got it, I never got it.
Q She sued you? A She got the divorce by default.

BY COMMISSIONER NEEDLES:

Q Did she get service on you? A Through the news paper.

Com'r Needles:--The name of William D. Cook is found upon the authenticated roll of 1880 as Willie B. Cook and he is duly identified as the Applicant. His name is found upon the census roll of 1896 as William D. Cook. He is duly identified according to the page and number of the rolls as indicated in the testimony; but by reason of the fact of residence as set forth in his testimony, final judgment as to the enrollment of said William D. Cook, as a Cherokee citizen by blood will be suspended and his name will be placed upon a doubtful card.

---ooo000ooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 14th day of March, 1901.

[Signature]

Commissioner

D W A V.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 13 1901



ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

29
Name *William J. Cook.*

Date

Mich 7 1900

District

Lev.

Citizen by blood

yes

Mother's citizenship

Intermarried citizen

no

over 18 Year *1880* Page *78* No. *485*

Henry Cook
Luban Landis

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

| Dist. | Year | Page | No. | Age |
|-------|------|------|-----|-----|
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
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| Dist. | Year | Page | No. | Age |

251 over 1880 rec ad Helli B. Cook
" " 1894 rec page 132 - 251 988 - Lev. Dist.

The literature is a fine and complete illustration of my reader's hope regarding the proceedings for this day, in the past week, and that Communist to the five Civilised Types that I distinctly

I, J. O. Lenny, do hereby certify that no studentship to the

Y. J. O. FORD, 40 N. 4th St. St. Louis, Mo.

0000

ACTION CHARTER

[illegible]

as a citizen of the Cherokee Nation:
SUBSCRIBED IN the presence of the undersigned, A. M. LITTLE, Jr., Clerk

$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

3-1-11

Supl.-C.D.#1141.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 20, 1902.

SUPPLEMENTAL in the matter of the enrollment of WILLIAM D. COOK
as a citizen of the Cherokee Nation:

The applicant in this case was notified by registered letter March 1, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the 20th day of March, 1902, and that on said date he might appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any further testimony affecting his application. The applicant having this day, to-wit: the 20th day of March, 1902, been called and failing to respond either in person or by attorney, the case is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOoOoo---

I, J. O. Rosson, do hereby certify that as Stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the proceedings had this day, in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson

Cher
D 1141

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T., January 7, 1903.

In the matter of the application of WILLIAM D. COOK, for the enrollment of himself as a citizen by blood of the Cherokee Nation:

THOMAS M. COOK, being first duly sworn, and examined, testified as follows:

Examined by the Commission:

- Q What is your name ? A Thomas M. Cook.
Q How old are you ? A I will be twenty two the 22nd day of July.
Q What is your post office ? A Vinita.
Q Are you a citizen of the Cherokee Nation ? A Yes sir.
Q Do you know one William D. Cook, who is an applicant to be enrolled as a Cherokee citizen ? A Yes sir.
Q What relation, if any, is he to you ? A Brother.
Q Is William D. Cook on the authenticated roll of 1880 ?
A Yes sir; well now, that's what mother says, I have never seen his name on there.
Q Has he lived in the Cherokee Nation all his life ?
A He lived here in the Nation until mother sent him up to school.
Q He lived in the Cherokee Nation from 1880 until he was sent to school ? A Yes sir.
Q When did he go to school ? A I don't know.
Q How many years ago ? A I don't know.
Q He is older than you are ? A Yes sir.
Q Have you lived with your mother since you were born ?
A Yes sir.
Q Is the Cherokee Nation ? A Yes sir.
Q Your brother William D. Cook lived with your mother until he went off to school ? A Yes sir.
Q Don't you know how long he went to school ?
A No sir, I don't, I can't say.
Q Was it five years or ten years ? A I should judge it was about eight.
Q You were at home then ? A Yes sir.
Q You think about eight years ? A Yes sir.
Q Do you know how young he was when he went off to school ?
A No sir, I am not positive as to his age now, he is about twenty nine or thirty I think.
Q That's his age now ? A Yes sir.
Q Then he was about twenty two when he started off to school do you think ? A Yes sir.
Q Where did he go to school ? A To Bryant and Stratton College at St. Louis.
Q How long did he stay there ? A I can't say how long he was there.
Q Do you know what he was studying ? A Yes sir, bookkeeping.
Q Is he married ? A He was married; well him and his wife only lived together about three months.
Q When was he married, before he started to school ?
A No sir, after.
Q Where was he married ? A In St. Louis.
Q Married in St. Louis ? A Yes sir, and they lived together about three months.
Q In St. Louis ? A Yes sir.
Q They separated ? A Yes sir, he come back to the Nation.
Q Is he still living in St. Louis ? A No sir.

Q What is he doing ? A He is taking scenery; he is now in California, the last letter we received from him.

Q How long has he been in that occupation ? A Well, about a year or so.

Q Do you remember when he came back from St. Louis ?

A No sir, I don't. I never paid any attention to the date, I don't remember.

Q What else has he done since he came from St. Louis ?

A That's all since he came from St. Louis.

Q Do you know where he was living in the year 1898 ?

A I am not positive, but I think he was in Wagoner.

Q In the Creek Nation ? A Yes sir.

Q What was he doing there ? A I think he was working there in a grocery; I am not positive what he was doing. There was quite a while we didn't hear from him; a year or so.

Q Did you draw Cherokee Strip payment money ? A Yes sir.

Q Do you know if your brother did also ? A Yes sir.

Q Was your brother in the Cherokee Nation then ?

A No sir, he was at school.

Q How long after that before he came back ?

A I think he come back the same year.

Q 1894 ? A Yes sir, 1894 he come back.

Q What did he do after he came back from St. Louis ?

A Went up to Claremore.

Q What did he do there ? A Nothing.

Q How long did he stay there ? A I don't know.

Q Then where did he go ? A Went to Muskogee.

Q How long did he stay there ? A I don't know.

Q Then where did he go ? A To Wagoner.

Q How long did he stay there ? A I don't know how long he stayed there.

Q Then where did he go ? A Come back to Vinita.

Q How long did he stay ? A I don't know.

Q Then where did he go ? A I think he went back to St. Louis, I aint positive.

Q Do you know what year it was ? A No sir I don't.

Q Where is he now, in California ? A Yes sir.

Q When was the last time he was in the Cherokee Nation ?

A Last summer.

Q Did he make application for his enrollment ? A Yes sir.

I, E. C. Bagwell, a stenographer to the Commission to the Five Civilized Tribes, on oath state that the foregoing is an accurate transcript of the stenographic notes of the testimony and proceedings had in the above entitled ~~suit~~ cause, as the same were taken by Jesse O. Carr, stenographer, and by him read to me.

E. C. Bagwell

Subscribed and sworn to before me this February 9, 1906.

Samuel Foreman
Notary Public.

INTERVIEW
COMMISSIONER OF THE CIVILIZED TRIBES

FEB 11 1903

Amos (Cherokee)

Notary Public

Excluded and again to before me this February 8, 1902.

Amos (Cherokee) and his wife and to me above entitled ones, at the same place located in the County of Cherokee, State of Georgia, and in the presence of the undersigned, on this date, the foregoing to be

I, H. C. Bennett, a Notary Public for the Commission to be to Amos (Cherokee) and his wife and to me above entitled ones, at the same place located in the County of Cherokee, State of Georgia, and in the presence of the undersigned, on this date, the foregoing to be

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T., January 8, 1903.

In the matter of the application of WILLIAM D. COOK, for the enrollment of himself as a citizen by blood of the Cherokee Nation:

SUSAN SANDERS, being first duly sworn, and examined, testified as follows:

Examined by the Commission:

- Q What is your name ? A I sign my name Susan Sanders, but I am enrolled as Susan Cook, and on the roll as --
- Q How old are you ? A Now you are asking me something I don't know.
- Q About ? A I don't know.
- Q What is your post office ? A Vinita.
- Q Are you the mother of William D. Cook who is an applicant to be enrolled as a citizen by blood of the Cherokee Nation ?
- A Yes sir.
- Q Where has your son been living since 1880 ?
- A He has lived here in Vinita.
- Q All the time ? A Well, he's been going around just one place and then another.
- Q Didn't he go to Missouri ? A Went to St. Louis to school.
- Q How old was he then ? A I can't tell you that.
- Q About how old was he then ? A He was about sixteen as well as I can remember now.
- Q He went to St. Louis to school ? A Yes sir.
- Q How long did he stay up there ? A I can't tell you that, because I borrowed money to send him; he stayed there until my money lasted out.
- Q Was it two years ? A He went six months one place, and six months another. He was at Bryant-Stratton College.
- Q Was he married ? A He told me so, I wouldn't swear that he told the truth; he got a woman in trouble and had to marry her.
- Q Did he bring her back to the Cherokee Nation ? A No sir.
- Q When did he come back to the Cherokee Nation ?
- A He's been back so much I can't tell you.
- Q Did he draw strip money in 1894 ? A Yes sir.
- Q Was he in the Cherokee Nation at that time ?
- A Yes sir, he was working at Swain's.
- Q Where has he been since that time ? A Why, Muskogee, Wagoner, with a man there. He went and married this girl; he had to; he married her after the payment.
- Q Did he live with her up there ? A He didn't live with her, he only married her and stayed around town there a while.
- Q You mean St. Louis ? A Yes sir.
- Q How long ? A I can't tell that; he quit her; he had to leave.
- Q Was it a year or two ? A He sir.
- Q A month or two ? A Yes sir.
- Q When he came back to the Cherokee Nation ? A Yes sir.
- Q Where did he go ? A I don't know how long he was with this man Reamer selling horses, he travelled everywhere.
- Q After he quit selling horses where did he go to ?
- A He come back here.
- Q How long did he stay here ? A I can't tell you, I didn't pay any attention to this, I didn't think I would have to swear.
- Q Was he here a month ? A Longer than that.

Q A year ? A Well, he went to Oklahoma.

Q How long did he stay there ? A I don't know, about a month.

Q What did he do ? A Just around there visiting, and then he went down in the lower part of the Nation, I don't know just where.

Q What was he doing there ? A Just working for this man, paying his way and his expenses, I don't know what they were paying him.

Q Was he the man with the horses ? A No sir, he left this man. He was taking pictures.

Q Where is he now ? A The last letter I got from him he was in California.

Q How long has he been out of the Cherokee Nation ?

A I can't tell you that. He was sick, they had him to a nigger man's house, he had small-pox.

Q How long has he been in California ? A Been there about a year.

Q He left the Cherokee Nation sometime ago ? A He was in Des Moines, Iowa.

Q I want to know when he left the Cherokee Nation ?

A About two years ago; he was just like I tell you, he was going all over, I don't know.

Q Where was he four years ago ? A I can't tell you, I didn't notice the time.

Q Was he in the Cherokee Nation or in the States ?

A I don't remember where he was four years ago, it aint long ago he was here though. He went from here to Des Moines, Iowa.

Q How long was he gone ? A I can't tell you; he went to St. Louis. He has been traveling ever since he left school.

He went to Klondike.

Q When did he go to Klondike ? A I can't tell you.

Q How old was he when he quit school ? A I don't know that.

Q How many years was he going there ?

A I told you six months he was going to Bryant-Stratton College, then he went to this public school.

Q Was he twenty one before he quit school ?

A I don't know that; he was about sixteen when he left home.

Q Did he go to school five years there ? A Oh no.

Q He's been traveling around ever since he left ?

A Just working for whatever he could get.

Q You don't know where he has been ? A I know where he has been; knew part of the time.

Q Is he living with his wife yet ? A Oh no, he had to quit and run off, he didn't want to marry, he was too young.

Q He hasn't married again ? A If he has I don't know it. I don't see how he could take care of a wife.

Q Why didn't he come back here himself ? A Since he had the smallpox he had to work for what he could get; my boy here has been trying to get work and couldn't, he's been working for \$3.50. That way he can get a little to help me some. I am getting too old and crippled with the rheumatism, I must be over fifty four; I was here along before the war.

Q How old is William Cook ? A I don't know.

Q Is he over thirty years old ? A I don't know; I don't know the age of none of them. I never went to school a day in my life.

Q Do you remember where he made application for enrollment ?

A You mean this last enrollment ?

Q Yes. A He enrolled at Muskogee, I believe.

Q That was a year ago wasn't it ? A That's when he liked to died here; he was sick with the smallpox, that's when he had small-pox.

Q Was he out in the States before that time ? A Yes sir.

Q How long has he been living in the Cherokee Nation?

A Well he has never been out of the Nation, just in and out, like I tell you. He never lived anywhere else, that is, to form a home.

Q What was the longest time he was away from here altogether?

A I can't tell you that; I never paid any attention.

Q Do you know whether he has been gone a year?

A I guess he was gone a year, I wouldn't swear that, I just have to guess at it. I never paid any attention to the time.

I, H. C. Bagwell, a stenographer to the Commission to the Five Civilized Tribes, on oath state that the foregoing is an accurate transcript of the testimony and proceedings had in the above entitled cause, as the same were reported by Jesse C. Carr, stenographer, and by him read to me.

H. C. Bagwell

Subscribed and sworn to before me this February 9, 1903.

Samuel Foreman
Notary Public.

Cherokee D 1141

FILE
1141

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of William D. Cook,
for enrollment as a citizen by blood of the Cherokee Nation.

-:-

D E C I S I O N .

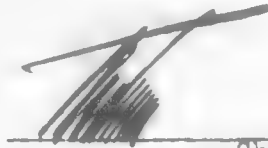
The record in this case shows that on March 14, 1901 William D. Cook appeared before the Commission at Muskogee, Indian Territory, and made application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Vinita, Indian Territory, on January 7, and 8, 1903.

The evidence herein shows that the applicant is a Cherokee by blood, was born in the Cherokee Nation, is duly identified on the Cherokee a thenticated tribal roll of 1880, and Cherokee census roll of 1896, and, except as below noted, has continuously lived in the Cherokee Nation since birth.

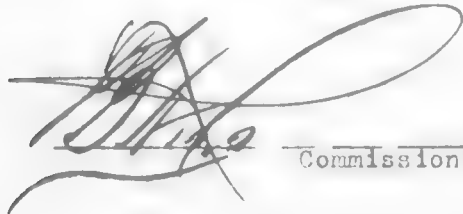
It appears that for the purpose of attending school, and by reason of business engagements that carried him to different parts of the United States, said applicant, during a part of the time since the year 1888, has resided at different points outside the limits of the Indian Territory; but as it further appears that said applicant has not become a citizen of any other government, and has always claimed the Cherokee Nation as his home, it is considered by this Commission that, under the ruling of the Department in the case of Joseph D. Yeargain, et al., (I. T.D. 2900-03), said applicant has not forfeited his rights to citizenship in said Nation.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the Yeargain case, William D. Cook should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman



Commissioner

MAR 21 1905



Commissioner

2

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FILED
MAR 1 1964

Handwritten signature
FBI - NEW YORK

5

COMMISSIONERS
HENRY L. DAWES
TAMM BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

Cherokee D-1141

Muskogee, Indian Territory,

March 1, 1902.

Mr. William D. Cook,

Vinita, Indian Territory,

Sir:-

You are hereby notified that the application of **yourself**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 20, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, **that you may deem necessary.**

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Register.

Yours truly,

Acting Chairman
Commissioner in Charge

MEET IN REPLY TO THE FOLLOWING

Cherokee D-1141.

Muskogee, Indian Territory, July 12, 1902.

William D. Cook,

Vinita, Indian Territory.

81r:

In the matter of your application for enrollment as a citizen by blood of the Cherokee Nation, you are directed to personally appear before the Commission at Muskogee, Indian Territory, on or before July 31, 1902, and furnish additional testimony as to the place of your residence on June 28, 1898, and prior thereto.

Unless this evidence is furnished as herein required, your case will be decided upon the evidence now in the record.

Yours truly,

Register.

Noting Chairman.

Cherokee D-1141

Tahlequah, Indian Territory, August 15, 1903.

Mrs. S. Sanders,
1508 Washington Avenue,
St. Louis, Missouri.

Dear Madam:

As requested in your letter of August 9, there is enclosed you herewith a copy of the recent testimony in the matter of the application of your son, W. D. Cook, for enrollment as a citizen of the Cherokee Nation.

In reply to that part of your letter wherein you ask how long it will be before selections of allotments in the Cherokee Nation will be finally passed upon, you are advised that allotment certificates, showing the land applied for by the allottee, are issued by the Commission as rapidly as possible. Section 69 of the recent Cherokee Agreement provides as follows:

"Sec. 69. After the expiration of nine months after the date of the original selection of an allotment by or for any citizen of the Cherokee tribe as provided in this Act, no contest shall be instituted against such selection, and as early thereafter as practicable patent shall issue therefor."

Respectfully,

MPM

Enc. M-63

INDEX
COMMISSION TO FIVE TRIBES
Received Answered
33018
1904
Sep 12 1904

Sanders, Susan,
Vinita, I.T.
Aug. 30, 1904

Asks if she may file for
her son.

Cherokee Enrollment

SECRETARY

SEP--2--1904

DEPARTMENT OF THE INTERIOR

Department of the Interior

SEP 3 1904

No. 7565

Indian Territory Division

Y.P.

Department of the Interior

SEP 10 1904

Respectfully referred to
the Commission to the Five
Civilized Tribes for report
and recommendation.

Thos Ryan
Acting Secretary.

(C O P Y)

Vinita, I.T. August 30th 1904

To the Hon. Commissioner of Indian Affairs.
Washington. D.C.

Kind Sirs:

I see you have let Miss Josie Hall file for her daughters and Daughterinlaws, as she was resident for a number of years on the reservated land of K on the neutral land and then moved from their to St. Louis and raised her family their she is and educated woman & I am an uneducated woman why should she be permitted to more privalages and granted more protection than me I was blind till I was eight years old & never lived out of the Nation and raised my family in the Nation I am an old settler and an imigrant from my parents side I dont know xxxxxxxx I must be fifty seven. And when my son W. D. Cook went before the commission at Muskogee I.T. he was rejected because he was married a short time before to a young lady in St. Louis, they seperated and she applied for a divorce and she never appeared againts her he is now in Long Beach Cal., for his health on the account of a severe spell of small pox while at Muskogee before the commission. Now the Commission has his statement and I have his number also papers a power of attorney to file for him now will you kindly permit me to do so I hope I am not asking any thing unjust for he is not able to come at present an file for himself and if I am permitted to do so will attend to the matter at once. Hoping that you will grant me this aid or the Comm- can file him and I will appear before them with the statements of the land.

Yours very truly,

Susan Sanders.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

RJH

D.C. 14599

I.T.D. 7565-1904.

L.R.S.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory,

Sir:

On September 10, 1904, the Department referred to the Commission to the Five Civilized Tribes, by stamp, for its report, a communication of August 30, 1904, from Susan Sanders, relative to application for enrolment of her son, W. D. Cook.

The records of this office do not show that report has ever been received, and you are again requested to forward same, if you have not already done so.

Respectfully,

Thos Ryan,

Through the
Commissioner of Indian Affairs.

First Assistant Secretary

COMMISSIONERS
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

WM. O. BEALL.
Secretary

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:

Cherokee D-1141

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 29, 1904.

Mrs. S. Sanders,

Vinita, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of October 18, asking to be permitted to appear before the Cherokee Land Office and select an allotment for your son, W. D. Cook.

In reply you are advised that you will not be allowed to make an allotment selection for the said W. D. Cook until his citizenship has been passed upon by the Commission and finally approved by the Secretary of the Interior. When the Commission renders a decision in this case you will be furnished with a copy.

Respectfully,



Chairman.

COPY.

Cherokee D-1141.

Muskogee, Indian Territory, March 21, 1906.

V. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1906, granting the application for the enrollment of William D. Cook as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

(SIGNED) *Tams Bixby*
Chairman.

Incl. S-53.

COPY.

Cherokee D-1141.

Muskogee, Indian Territory, April 11, 1905.

William D. Cook,

Care of Susan Sanders,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. 8-17.

(SIGNED) *I. B. Needles.*
Commissioner in Charge.

COPY.

Cherokee D-1141.

Muskogee, Indian Territory, April 11, 1905.

K. S. Murchison,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1905, granting the application for the enrollment of William D. Cook as a citizen by blood of the Cherokee Nation.

Respectfully,

Incl. S-18

(SIGNED).

I. B. Needles.
Commissioner in Charge.

Cherokee 10877.

2001

Muskogee, Indian Territory, October 9, 1905.

W. D. Cook,
816 Pine Street,
Saint Louis, Missouri.

Dear Sir:

In reply to your letter of October 2, you are advised that your name is included in a schedule of citizens by blood of the Cherokee Nation recently approved by the Secretary of the Interior, and you will now be permitted to select an allotment of land in the Cherokee Nation.

Your change in post office address has been noted.

Respectfully,

SIGNED

James Dixey.
Commissioner.

LS

Muskogee, Indian Territory, May 19, 1906

Honorable Tams Bixby,
Hotel Raleigh,
Washington, D.C.

Dear Sir:

There is enclosed herewith, prepared for your signature, letter addressed to the Department making report on letter of Susan Sanders which was referred to the Commission September 10, 1904. There is also enclosed copy of Departmental letter requesting report on same.

If the letter as prepared meets with your approval please return, after attaching your signature thereto, the copying carbon, so that a letter press copy may be made of same.

Respectfully,

LMC

Acting Commissioner

Muskogee, Indian Territory, June 19, 1906

The Honorable,

The Secretary of the Interior.

Sir:

This office is in receipt of Departmental letter of April 20, 1906 (I.T.D. 7565-1904), stating that on September 10, 1904, there was referred to the Commission to the Five Civilized Tribes, by stamp, for its report, a communication of August 30, 1904, from Susan Sanders, relative to the application for the enrollment of her son, W. D. Cook; that the records of the Department do not show that report has been received, and this office is requested to make report in the matter, if one has not already been made.

In reply you are respectfully advised that an examination of the records of the office shows that on September 12, 1904, there was received by the Commission to the Five Civilized Tribes, by Departmental reference of September 10, 1904, for report thereon, a letter from Susan

Secretary--2.

Sanders, of Vinita, Indian Territory, dated August 30, 1904, in reference to the enrollment and selection of an allotment of land for her son, W. D. Cook, and that, possibly by an oversight, no report was made to the Department.

On March 14, 1901, William D. Cook, son of Susan Sanders, appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Cherokee Nation; and on March 21, 1905, the Commission rendered its decision granting said application. The name of William D. Cook is included in a schedule of citizens by blood of the Cherokee Nation approved by the Department July 27, 1905, opposite No. 32562.

Mrs. Sanders complains that certain persons mentioned by her have been granted more privileges than she; that her son appeared before the Commission and was rejected; that he is in the State of California for his health, and that she has a Power of Attorney to file for him and requests that she be permitted to do so. The records of the office show that Susan Sanders was notified of the approval of the citizenship of her son by the Secretary of the Interior, and that he would be permitted to make an

Secretary--3.

allotment selection in the Cherokee Nation. Various letters have been addressed to William D. Cook, and to his mother, advising him with reference to selecting an allotment of land in the Cherokee Nation, and on October 24 and November 23, 1905, Mrs. Sanders was notified at her postoffice address, 1506 Olive Street, St. Louis, Missouri (now 1414 Olive street, St. Louis, Missouri), the rules and regulations of the Commissioner with reference to the selection of allotments of land in the Cherokee Nation, and especially with reference to the selection of allotments for aged and infirm persons.

On June 14, 1906, Susan Sanders appeared before this office and presented a Power of Attorney from her said son authorizing her to select an allotment of land in the Cherokee Nation for him. Satisfactory reasons being given as to why he is not physically able to appear in person for the purpose of making application for the selection of an allotment, certain land which Mrs. Sanders testified she had been over and examined with a view to its being selected as an allotment, was arbitrarily allotted to said William D. Cook.

Mrs. Sanders' letter is enclosed herewith.

Respectfully

Through the
Commissioner of Indian Affairs.

L M B

Commissioner

Encl. B-80

12623-1908.

Muskogee, Oklahoma, May 11, 1908.

Mrs. Zerilda Masdon,
#3831 Windsor Place,
Saint Louis, Missouri.

Madam:

This office is in receipt, by reference of the Commissioner of Indian Affairs, of your letter of April 21, 1908, asking to be advised if your son-in-law, W. D. Cook, applied for the enrollment of his child, Zerilda Belle Cook, when application was made for his enrollment as a citizen of the Cherokee Nation. You state that the parents of Zerilda Belle Cook have separated and you have the custody of the child.

In reply you are advised that the records of this office have been examined and no application can be found for the enrollment of Zerilda Belle Cook as a citizen of the Cherokee Nation within the time provided by law.

The roll of Cherokee citizens was fully completed on March 4, 1907, and there is at this time no authority of law for the enrollment of any person as a citizen of that Nation.

Respectfully,

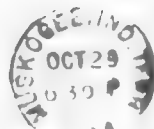
Commissioner.



Department of the Interior.

Commission to the Five Civilized Tribes.

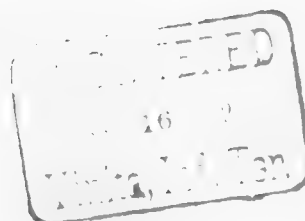
MUSKOCÉE, IND. TER.



Mr. S. S. S. S. S.

Indian Territory.

Sp. Com. to the Five Civilized Tribes
Pauline, Okla.
Thunder Lake.



Department of the Interior

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, \$300.

Reg No $\frac{105}{101}$





No $\frac{261}{252}$



Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

~~Mr. William D. Cook,~~

~~Vinita, Indian Territory.~~

Cher 10878

Charlie Scruggs

Trans. from D1279

Cher 10878

✓

①

AFM

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment
of Charlie Scruggs as a citizen by blood of the Cherokee Nation.

---:---
Cherokee D 1279

There was a fine and complete copy of the original "Memorial" given to the War Graves Office. I made the following copy and Mr. D. Green, do hereby certify that as representative to the Council.

(signed) X. L. Green.
complete transcription of my stenographic notes thereof.
ent proceedings in this case and get the transcript at a time and
place to the place dictated I completely recorded the testimony
of the witness of each case, in full and completely true to the transcrip-

The efficient also applies for a Grand-child, Bear Giong, the Kiva youngest of these children, who are too young to be Commissioned with gold unmarked official tokens of birth of Commission for abundant will be taken as an evidence at Chienkiesha's proof. In accordance with the practice of the Kivak at this time, and they will now be placed for enrollment one child, is identified on the roll of dead; they are all named after the noblest of the different families.

Chienkiesha said that on a Grandchild will be placed the same name as the first child of his daughter. While the Commission of the child is derived from the birth of a child, it is identified by the father of this child, and the mother cannot be identified upon any roll. The child is not nothing desirable about the father of this child, and the child of the deceased daughter, Xuhia Xecoi; he knows upon any roll.

The efficient also applies for a Grand-child, Bear Giong, the Kiva youngest of these children, who are too young to be Commissioned with gold unmarked official tokens of birth of Commission for abundant will be taken as an evidence at Chienkiesha's proof. In accordance with the practice of the Kivak at this time, and they will now be placed for enrollment one child, is identified on the roll of dead; they are all named after the noblest of the different families.

[illegible]

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 16, 1902 .

In the matter of the application of Alex McCoy for the enrollment of himself, wife and eight children as Cherokee citizens. Being sworn and examined by Commissioner Breckinridge, he testified as follows:

(Through sworn interpreter, Joshua Ross.)

- Q Give me your full name? A Alex McCoy.
Q How old are you? A He said he can't give you his exact age.
Q About 50? A About 50, he says.
Q Give me your post-office? A Vian.
Q What district do you live in? A Illinois.
Q Have you a wife? A Yes, he has a wife.
Q How many children have you? A Got about 12, in all, he says.
Q Are you a full blood Cherokee? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? A Yes.
Q Give me the name of your father? A McCoy.
Q Full name? A Says his name was McCoy, that's all he knows.
Q Is he dead? A Yes sir.
Q How long since he died? A He died in 1879.
Q Give me the name of your ~~wifexx~~ mother? A Wetiyah.
Q Is she dead? A Yes sir, she is dead.
Q How long since she died? A Died before his father.
Q Give me the name of your wife? A Saphrenia.
Q How old is your wife, about 31 years old? A About that.
Q Is she a full blood? A Yes, full Cherokee.
Q Has she lived in the Cherokee Nation all her life? A Yes sir, grown up there.
Q Give me the name of her father? A Never saw him.
Q You don't know anything about him? A No.
Q Give me the name of her mother? A She is living, named Ester, he thinks Ester Lee.
Q How long since you and your wife married? A In 1893.
Q These children, are they all then by this wife? A Different mothers.
Q How many times have you been married? A Four or five times.
Q Give me the names of your children? A First is named McCoy, Ned McCoy.
Q How old is that child? A About 25, he says.
Q He will have to apply for himself; next child? A Sarah.
Q How old is Sarah? A About 24.
Q She will have to apply for herself; next child? A Ester.
Q How old is Ester? A About 21.
Q She will have to apply for herself; give me the name of the next child? A Tom McCoy.
Q How old is Tom? A 17, he says.
Q Give me the name of the next child? A Zake McCoy.
Q ~~How old is Zake? A About 11 or 12.~~
Q Give me the name of the next child? A Says the other one he thinks is written down somewhere else.
Q ~~Lillie? A Says it is an outchild; and it is written off some-~~
Q ~~where else, he thinks; George, he calls him.~~
Q How old is George? A About 11.
Q Are they twins? A Different mothers.
Q Give me the next child? A Now begins ~~the~~ with the wife that he has got; the oldest is a girl, Lilah.
Q That is a girl, Lilah McCoy? A Yes sir, about 6 years old.
Q Next child? A Sam McCoy.
Q How old is Sam? A About 5.
Q The next child? A Cherokee McCoy.
Q How old is that child? A Over three.

Q Next child? A Ellen, a girl, McCoy.
 Q How old is Ellen? A Two years.
 Q Is that all? A Twins; one he thinks is named Leaf, a boy, and the other one Levi.
 Q How old is Levi? A They are twins, both boys.
 Q Leaf and Levi McCoy? A Yes sir.
 Q How old are they? A Come here lately.
 Q Well? A About three months old, born in November.
 Q Now is that all isn't it? A That's all.
 Q Now listen to me: the last six that you have named are the children of your last wife, your present wife? A Yes sir, that is it; and he has an orphan there with him.
 Q What is the name of the orphan? A In Cherokee he is named Bear, but he has a white name; English name, but he don't remember just what it is. Yanah, that means Bear.
 Q Well, Bear what? A Bear Cloud.
 Q How old is that child? A About 6 years old.
 Q Give me the name of this child's father? A Says he don't know no more about it.
 Q Is this child, Bear, a full blood? A He is about a half-breed, he thinks, the child's father.
 Q Well the child himself? A About a quarter I reckon.
 Q You don't know who the child's father is? A Says all he knows about it, his father's name was Cloud.
 Q Give me the name of the child's mother? A That was his daughter, Annie.
 Q Is she dead? A She is dead.
 Q Her name was Annie McCoy? A Yes sir.
 Q Father is dead too is he? A He don't know.
 Q How long has Annie been dead? A Two years.
 Q How old was she when she died? A She was 25 years old when she died.
 Q Are you the father of Tom and Zeke and George? A Yes sir, he says, but the George may be enrolled somewhere else.
 Q Who was the mother of Tom? A She is dead.
 Q Give me her name? A Her name was Lucy, Marr, something that sounds like Marrs, he said.
 Q Is she dead? A Yes sir.
 Q Was she a full blood? A Yes sir.
 Q Who was the mother of Zeke? A Aiky Foster.
 Q Was she a full blood? A Yes sir.
 Q Is she dead? A Dead.
 Q Who is the mother of George? A Sallie Walker.
 Q Is she dead? A She is dead.
 Q Was she a full blood? A Yes sir.

1880 authenticated roll of citizens of the Cherokee Nation examined and applicant identified on
 page 555 No. 1166, Alexander McCoy, Illinois District, native Cher
 1880 authenticated roll for applicant's wife,
 page 706 No. 759 Saffrona Lee, Sagoyah District, native Cher.
 1880 authenticated roll examined for Annie McCoy, and name not identified thereon.

Q This woman Lucy, was her name Lucy Morris? A Yes sir.
 Q Would she be a very old woman if she were living now? A Yes sir, she is not living now.
 Q How old was this woman Lucy when you lived with her, was she over 50 when you lived with her? A No, she was not 50. About 40, or 40 years old.

1880 authenticated roll of citizens of the Cherokee Nation examined for Lucy Morris or Marrs, and name not found.
 1880 authenticated roll examined for former wife, Aiky and found page 364 No. 518 Aiky Foster, Flint District, "dead" native Cher.

1880 authenticated roll examined for Sallie Walker, and name not identified thereon.

1896 census roll of citizens of the Cherokee Nation examined for applicant, wife and children and identified as follows:
page 881 No.1200 Alex McCoy, Illinois District, native Cherokee;
page 881 No.1201 Saphronia McCoy, Illinois District, native Cher;
page 881 No.1205 Thomas McCoy, Illinois District, native Cher;
page 881 No.1206 Ezekiel McCoy, Illinois District.
1896 census roll examined for George, child, and name not identified thereon.
1896 census roll for Lillie, child, and found on page 881 No.1207 Lillie McCoy, Illinois District. (1 year of age in 1896.)

1894 pay roll of citizens of the Cherokee Nation examined for George McCoy and name not identified thereon.

Q Who is this child, George McCoy, living with? A Close to him, he says; lives with a woman named Lydia Walker, close to him, in Illinois District.

Q She is a very old woman is she? A Yes sir; he says he has been enrolled by some one named Ahnewakie, he thinks maybe when you were down about Bunch.

(George Walker found to have been enrolled on card No.7389, regular Cherokee card, with Lydia Walker.)

Q These six children by your present wife are all living with you now? A Yes sir.

Q Tom and Zeke are living with you now? A Yes sir.

Q What was this woman's name, your daughter Annie, when she died?

A He says he reckon they put it down Annie McCoy.

Q Did she draw Cherokee strip money? A Yes sir.

1896 census roll of citizens of the Cherokee Nation examined for applicant's daughter, Annie McCoy, and not found;

1894 pay roll of citizens of the Cherokee Nation examined for Annie McCoy and name not found thereon.

1896 census roll of citizens of the Cherokee Nation examined for Bear Cloud, and name not found.

Q Is Nellie dead? A (No response.)

Q How old would Annie be if she were living now? A Be about 27 years old, Annie was her name.

Q Did you ever have a daughter named Eliza? A No.

Q Or one named Nellie? A No. He says she was living at his house, and he drew the Cherokee strip money for her, as Annie McCoy.

BY COMMISSIONER BRECKINRIDGE: The applicant applies for the enrollment of himself, his wife, and eight minor children.

The applicant is identified on the rolls of 1880 and 1896 as a native Cherokee. He is a full blood; he has lived in the Cherokee Nation all his life and he will be listed for enrollment as a Cherokee by blood.

His wife Saphronia McCoy is identified on the rolls of 1880 and 1896 as a native Cherokee. She has lived in the Cherokee Nation all her life; she is a full blood and she will be listed for enrollment as a Cherokee by blood.

Tom McCoy is the applicant's child by a full blood woman, Lucy Harris or Morris by name, who cannot be definitely identified, but no doubt is entertained as to the child being a full blood. He is identified on the roll of 1896. He is living with the applicant, and will be listed for enrollment as a Cherokee by blood.

His child Zeke is also the child of a full blood woman, Aki Foster by name, deceased, who is duly identified on the roll of 1880. This child is identified on the roll of 1896; is living at this time with the applicant, and will be listed for enrollment as a Cherokee by blood.

He mentioned the child George McCoy in his original application, but this child is found to be already enrolled on Cherokee straight card No. 7389, and no further attention is paid just at this time to that part of his application. The six younger children, Lilah, Sam, Cherokee, Ellen, Levi and Leaf are the applicant's children by his present wife; the older one, Lilah, is identified on the roll of 1896; they are all living at this time, and they will now be listed for enrollment as Cherokees by blood. In accordance with the practice of the Commission the applicant will be required to supply the Commission with duly authenticated certificates of birth of the five youngest of these children, who are too young to be upon any roll.

The applicant also applies for a grand-child, Bear Cloud, the child of his deceased daughter, Annie McCoy; he knows nothing definite about the father of this child, and the mother cannot be identified upon any roll. The child is not identified upon any roll, but he is perhaps too young to have been enrolled. The applicant is desired to supply the Commission with a duly authenticated certificate of the birth of this child, and also with further information that will lead to the identification on some roll of his daughter, Annie, this child's mother, and at present Bear Cloud will be listed for enrollment as a Cherokee by blood on a doubtful card.

I, M.D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(signed) M.D. Green.

I, M.D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I made the foregoing copy and that same is a true and complete copy of the original transcript.

M.D. Green

RECEIVED
MAY 1 1964

MR. CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date *Muskogee*

MAR 16 1902 1900.

Name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

1 Bear Cloud } cloud - C 1/2 - d - c
 annie mcf. coy - d - c

Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Appln. made by Alex m^c Coy, Train d. T.
 Steno, m. D Green

not identified on any roll

no 1 BC required

x Ref

81274

Q. Now, were you there, as you say, at the time of the shooting?
A. Yes, I was there.
Q. And you saw the man who was shot?
A. Yes, I saw him.

Q. Now, you say you saw the man who was shot?
A. Yes, I saw him.
Q. And you saw the man who was shot?
A. Yes, I saw him.

Q. Now, you say you saw the man who was shot?
A. Yes, I saw him.
Q. And you saw the man who was shot?
A. Yes, I saw him.

Q. Now, you say you saw the man who was shot?
A. Yes, I saw him.
Q. And you saw the man who was shot?
A. Yes, I saw him.

Q. Now, you say you saw the man who was shot?
A. Yes, I saw him.
Q. And you saw the man who was shot?
A. Yes, I saw him.

Q. Now, you say you saw the man who was shot?
A. Yes, I saw him.
Q. And you saw the man who was shot?
A. Yes, I saw him.

Q. Now, you say you saw the man who was shot?
A. Yes, I saw him.
Q. And you saw the man who was shot?
A. Yes, I saw him.

Q. Now, you say you saw the man who was shot?
A. Yes, I saw him.
Q. And you saw the man who was shot?
A. Yes, I saw him.

1

B-41.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Vian, Indian Territory, May 15, 1902.

Supplemental testimony in the matter of the enrollment of Bear Cloud, Card D-1279, as a citizen of the Cherokee nation.

Alex McCoy, being duly sworn, testified as follows through Interpreter Thomas Downing:

Examination by the Commission.

- Q. What is your name? A. Alex McCoy.
- Q. How old are you? A. About 50 years old.
- Q. What is your post office address? A. McKey or Vian, either place.
- Q. You are a recognized citizen by blood of the Cherokee nation, are you? A. Yes, sir.
- Q. You have heretofore applied for the enrollment of yourself and family as citizens of the Cherokee nation? A. Yes, sir.
- Q. At the time the interpreter had some trouble in regard to the names of your children? A. The fault was with himself and the interpreter together, he says. He didn't give the correct name. He says he put it Bear Cloud because that was his Cherokee name.
- Q. When you applied for enrollment the interpreter gave the name of one of your children as Bear Cloud. Is that correct? A. Yes, that is the way he made it.
- Q. Was that the correct name of the child? A. The correct name for the child is Bear Scruggs.
- Q. What is the name of the mother of the child? A. Annie.
- Q. Is she living? A. No, sir.
- Q. Was she a Cherokee by blood? A. Yes, sir.
- Q. Was she your daughter? A. Yes, sir.
- Q. What is the name of the father of Bear Scruggs? A. Redcloud Scruggs.
- Q. You desire to have the child enrolled as Bear Scruggs? A. He wants it enrolled as Charlie.
- Q. Is the child's given name Charlie instead of Bear? A. He says he doesn't talk very much English and he always called him Bear in Cherokee but he has been told his name is Charlie in English.
- Q. How old is this child Charlie Scruggs now? A. 6 years old.

May 17th, 1902.

✓ It appears upon further examination of the 1896 census roll of citizens of the Cherokee nation that this child is duly identified thereon, page 902, #1762, as Bear Scruggs, Illinois district.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Jesse O. Carr.

Subscribed and sworn to before me this 17th day of May, 1902.

John H. Reese
Notary Public.

S1379

20

IN RE

Application for Enrollment of

INFANT CHILD

Charlie Deriggs

as a citizen of the

Cherokee

Nation.

Approved



14th 1907

Commissioner

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

AUG 8 1902



ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Charlie ~~Redcloud~~ *Scruggs*, a citizen of the *Cherokee* Nation,
 born on the *28th* day of *November*, *1896*
 Name of Father: *Redcloud Scruggs*, a citizen of the *Cherokee* Nation.
 Name of Mother: *Amie McCoy*, a citizen of the *Cherokee* Nation.
 Post-Office: *Vian, St.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
 INDIAN TERRITORY, }
 District. }

I, *Amie McCoy*, on oath state that I am *28* years of age and a citizen, by *Cherokee* Nation;
 that I am the lawful wife of *Redcloud Scruggs*, who is a citizen, by *Cherokee* Nation, that a child was born to me on the *28th* day of *November*, 190*6*; that said child has been named *Charlie*, and is now living.

WITNESSES TO SIGN

(Witnesses to Sign)

Subscribed and sworn to before me this

day of

190

Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
 INDIAN TERRITORY }
 Northern District. }

I, *Nancy Feather*, midwife, on oath state that I attended on *Amie McCoy*, wife of *Redcloud Scruggs*, at *Vian, St.*

28th November

Miss

Charles

Misses

W. H. H. H.

18

May

2

C.D 1279

COPY.

20

IN RE
Application for Enrollment of
INFANT CHILD

Charlie . . .
as a citizen of

Cherokee

Nation

Approved . . . 190 .

Commissioner

RECEIVED
COMMISSIONER
JUL 11 1900

AUG 8 1900

FILED
JUL 11 1900

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation,
of Charlie Scruggs, born on the 28th day of November, 1896.
(Here insert name of child.)
Name of Father: Redcloud Scruggs a citizen of the Cherokee Nation.
Name of Mother: Annie McCoy a citizen of the Cherokee Nation.
Postoffice: Vian, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
DISTRICT }

I, *Deaf*, on oath state that I am
years of age and a citizen by of the Nation;
that I am the lawful wife of *Deaf*, who is a citizen, by
of the Nation; that a child was
born to me on day of ; that said child has been named
and is now living.

WITNESSES TO MARK:

(Must be Two
Witnesses.) }

Subscribed and sworn to before me this day of , 190

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
Northern DISTRICT }

I, Nancy Feather, a midwife, on oath state that I
attended on Mrs. Annie McCoy, unlawful wife of Redcloud Scruggs
on the 28th day of November, 1896; that there was born to her on said date a male
child; that said child is now living and is said to have been named Charlie Scruggs
(Male or Female.)

WITNESSES TO MARK:

(Must be Two
Witnesses.) }

Subscribed and sworn to before me this 15th day of May, 1902

John O. Mason

Notary Public.

А.И.М.

Abstract

→ → → → →

JAN 26 1975

112

Application for [illegible] [illegible]

[Illegible text block]

[Illegible signature]

C. R. [illegible]

MAR 21 1905

1-1219

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100

100

100

100

Char. T-70.

Muskogee, Indian Territory, June 7, 1900.

John O. Wesson,

Chief in Charge Cherokee Enrollment Party No. 1,

Braggs, Indian Territory.

Dear Sir:

Enclosed herewith please find birth affidavit in the matter of the application for enrollment as a citizen of the Cherokee Nation of Chesley Scruggs. Please affix your official seal to the affidavit made by the midwife.

Yours truly,

Acting Chairman.

Encl. C-170.

COPY.

Open Rec D-1279.

Muskogee, Indian Territory, March 21, 1905.

W. V. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1905, granting the application for the enrollment of Charlie Scruggs as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. S-64.

SIGNED

Tamc Dixby.
Chairman.

COPY.

Cherokee D-1279.

Muskogee, Indian Territory, April 11, 1905.

Alex McCoy,

Vian, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 21, 1905, granting the application for the enrollment of Charlie Scruggs as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection for the said Charlie Scruggs until his name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-19

T. B. Needles.
Commissioner in Charge.

Cher 10879

Grapes Weeley

Trans. from D3151

Cher 10879

1

✓ 1228

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

)))

Herein is the record in the matter of the application for
the enrollment as a citizen by blood of the Cherokee Nation of:

GRAPES WEELEY

CHEROKEE D 3151.

R
Cher D 3151

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty-one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Grapes Weeley #3564 Tahlequah District.
Note: "On 1896 roll as Drapes Weeley."

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

B. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled case, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this December 9, 1902.

B. C. Bagwell
W. B. Jones
Notary Public.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., September 11, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of
Grapes Weeley as a citizen by blood of the Cherokee Nation:

S. D. CLARK, being duly sworn, testified as follows: Examination by the Commission:

- Q What is your name? A S. D. Clark.
Q How old are you? A 45.
Q What is your post office address? A Tahlequah.
Q You are a recognized citizen by blood of the Cherokee Nation, are you? A Yes, sir.
Q Do you know Grapes Weeley? A Yes, sir.
Q Is he living? A Yes, sir; he was a few days ago.
Q Is he a Cherokee by blood? A Yes, sir.
Q Do you know what degree of Cherokee blood he claims, A He claims to be a full-blood. I don't reckon he would miss it very far.
Q He is a recognized citizen of the Cherokee Nation, is he? A Yes, sir.
Q Do you know the name of his father? A Why, yes, he is the one we call Teehooyah Weeley.
Q Is he living? A Yes, sir.
Q Is he a Cherokee by blood? A Yes, sir.
Q Do you know the name of the mother of Grapes Weeley? A Yes, sir; her name was Peggie.
Q Is she living? A No, sir, she is dead.
Q Was she a Cherokee by blood? A Yes, sir.
Q Is Grapes Weeley married? A Yes, he is living with a woman.
Q Do you know her name? A Her name is Nancy.
Q About how old is she? A She don't know her age exactly, she says she is between 30 and 35. We was talking about her age last fall. I have known her a long time; she is old Henry Christie's daughter.
Q Is Henry Christie living? A No, sir.
Q Was he a Cherokee by blood? A Yes, sir.
Q Do you know the name of the mother of Nancy Weeley? A No, sir; I don't. I used to know but I have forgot.
Q Do you know whether she is living or not? A She is dead.
Q Was she a Cherokee by blood? A Yes, sir.
Q About how old is Grapes Weeley? A He claims to be about 27 or 8--don't know his age. I expect he is something over 30.
Q What is his post office address? A Wauhatchie.
Q He lives in Tahlequah district does he? A Yes, sir.
Q How long have you known him? A I have known him about all of his life.
Q He has resided in the Cherokee Nation continuously during the time you have known him? A Yes, sir, he was born and raised right there near where I live.
Q How long have you known his wife? A I have known her for years, ever since she was a girl.
Q Has she resided in the Cherokee Nation during the time you have known her? A Yes, sir.
Commission: Neither Nancy Weeley nor her parents can be identified upon the delinquent lists of the rolls of the Cherokee Nation. The witness states that he does not know whether or not Nancy Weeley has been enrolled.

1880 Authenticated roll of citizens of the Cherokee Nation examined and name of Grapes Weeley cannot be identified thereon. His parents, however, are identified thereon as follows:
Page 821, #2555, Te-hu-yah Weely, Tahlequah District;
Page 821, #2556, Peggy Weely, Tahlequah District.

The 1896 census roll of citizens of the Cherokee Nation examined and name of Grapes Weeley identified thereon, page 1263, #3564, as Drapes Weeley, Tahlequah district, native Cherokee, 18 years of age.

Q Was Grapes Weeley's wife ever known by any other name?

A Not that I know of, she lived with Willie Jug a long time. I don't remember who she lived with before she lived with Jug; I don't remember who she married. She lived with that Willie Jug though. Some of them called her Cherokee name was Whitewoman, a good many of them called her that in English--Whitewoman Christie.

Q Did you know of her having a child? A No, sir.

---oooOooOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the above proceedings and testimony in the above styled case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

subscribed and sworn to before me this September 20, 1902.

H. C. Rose

Notary Public.

Cherokee 1-31:1

TO THE CHIEF OF BUREAU OF INDIAN AFFAIRS,
WASHINGTON, D. C.

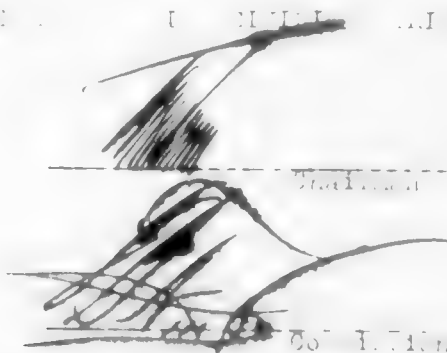
In the matter of the application for the enrollment of
James Wesley as a citizen by blood of the Cherokee Nation.

The record in this case shows that on June 30, 1902, James
Wesley was enrolled as a citizen at Muskogee, Indian Territory,
and his application for enrollment of James Wesley as a
citizen of the Cherokee Nation. Further proceedings in the
matter of his enrollment are held at Muskogee, Indian Terri-
tory on October 11, 1902.

The evidence in this case that the applicant is a Cher-
okee by blood is continuously living in the Cherokee Nation since
birth, and is included in the Cherokee census roll of 1896.
The applicant's father, George W. Lee, is included in a par-
tial roll of Cherokee citizens by blood, approved by the Secre-
tary of the Interior on October 23, 1902, number 2097.

It is, therefore, the opinion of the Commission that
James Wesley is and has been a citizen by blood of the
Cherokee Nation, in accordance with the provisions of Section
Twenty-one of the Act of October 3, 1901 (30
Stat., 498), and it is so ordered.

TO THE CHIEF OF BUREAU OF INDIAN AFFAIRS,
WASHINGTON, D. C.


C. R. Buckenidge
Commissioner

RECORDED & INDEXED

FEB 27 1905

COPY.

Cherokee D-3181.

Muskogee, Indian Territory, February 27, 1906.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 27, 1906, granting the application for the enrollment of Grapes Weeley as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Encl. L-1.

RECEIVED
Tamc Dixby
Commissioner in Charge.

COMMISSIONERS
TAMM HIXBY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REPORT IN REPLY TO THE FOLLOWING:
Cherokee-3151,

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, April 11, 1905.

Grapes Weeley,

Wauhatchie, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 27, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,



Incl. S-20.

Commissioner in Charge.

Cher. D-3157.

The applicants wife,
Honey Weeley, was listed
for enrollment at War-
hills, I.O. file 19, 1902,
Cherokee Card No. 9184, and
she is included in a partial
roll of Cherokee citizens by
blood, approved by the day of
the Int. ~~conference~~ Dec.
23, 1902, opposite No. 10486.

Decision OK.

17/04.

[Faint handwritten signature]

17/04

Department of the Interior,
Commissioner to the Five Civilized Tribes.
MUSKOGEE, IND. TER.



UNCLAIMED

Cher 10880

Gertrude F. Flint

Trans. from R675

Cher 10880

a.

SEP 18 1900

Q. Now, I am going to ask you a few questions, I S.
A. Yes, sir. I am, I S. 1901.
Q. Now, I am going to ask you a few questions, I S.
A. Yes, sir. I am, I S. 1901.

Q. Now, I am going to ask you a few questions, I S.
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A. Yes, sir. I am, I S. 1901.
Q. Now, I am going to ask you a few questions, I S.
A. Yes, sir. I am, I S. 1901.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before me
this 18th day of September, 1900.

C N Hume

COMMISSIONER.

13-
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

SEP 17 1900

[Signature]
ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date

1900.

Name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Dist.

Year

Page

No.

Age

Dist.

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1 in 1896 null as Gertrude Flint

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310

MAINT

MAINTENANCE & REPAIR RES.

FILED

1902

[Handwritten signature]

✓
COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Memorandum of 1/21/02
1/

Received of the Commission to the Five Civilized Tribes
one copy of the testimony in the matter of the application of
Herbule T. T. Hunt for enrollment as
~~Member~~ of the Cherokee Nation.

Done at

Washington

No. 1-8-311

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 24, 1902.

In the matter of the application of Gertrude F. Flint for the enrollment of herself as a citizen of the Cherokee Nation.

Applicant represented by S. S. Clover, Vinita, I.T.
Cherokee Nation represented by W. W. Hastings.

P. G. BROWNING, being duly sworn, testified as follows:

COMMISSION: What is your name? A P. G. Browning.
Q Where do you live? A Seneca, Missouri.
MR.CLOVER: What relationship exists between you and Gertrude F. Flint? A Sister-in-law.
Q Who was her father and mother? A Levi Flint and Stella A. Flint.
Q Is she married or a single woman? A Single.
Q Do you know whether she was enrolled on the Dixon roll? A Yes, sir.
Q Did she receive any pay from that? A Yes, sir.
Q Do you know whether she was ever enrolled on the Wallace roll? A Yes, sir.
Q Did she receive pay from that? A Yes, sir.
Q Do you know whether she has joined any other tribe or nation than the Cherokee-Shawnees? A No, sir.
MR.HASTINGS: Does she live in Seneca now? A No, sir, she is in Wisconsin.
Q How long has she been there? A Two years.
Q And she went from Seneca, Missouri, up there? A Yes, sir.
No, I believe she went from Lawrence up there.
MR.CLOVER: Is she a government employe or not? A Yes, sir, teaching up there.
MR.HASTINGS: She never did live in the Cherokee Nation according to her own statement, is that true? A No, she never did.
COMMISSION: The attorney for the applicant will be granted fifteen days in which to furnish the Commission with certified copies of the Dixon roll and Wallace roll of Cherokee-Shawnees.
You submit this case to the Commission for final consideration?
MR. CLOVER: Yes, sir.
COMMISSION: The attorney for the applicant and the representatives of the Cherokee Nation present submit this case to the Commission for final consideration. The same is ordered closed, and reported to the Commission for a decision based upon the evidence now filed, in addition to the certified copies of the rolls above requested.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 24th day of February, 1902.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES. 545

In the matter of the application of Gertrude F. Flint
for the enrollment of her self as a citizen by blood of the Cherokee
Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on September 17, 1900, the applicant, Gertrude F. Flint, appeared before the Commission at Vinita, Indian Territory, and then and there made personal application for the enrollment of herself as a citizen of the Cherokee Nation. Thereafter, on February 24, 1902, at Muskogee, Indian Territory, further evidence in the matter of this application was heard, and the case was submitted to the Commission for final consideration and ordered closed.

The evidence in this case shows that neither the name of the applicant, Gertrude F. Flint, nor that of her father, an adopted Shawnee, appears upon the Cherokee authenticated tribal roll of 1880. The applicant is identified on the Wallace and Dickson rolls of Shawnee-Cherokees, and also upon the Cherokee-Shawnee Pay roll of 1896, and the Cherokee census roll of 1896.

It also appears from the evidence that the applicant, Gertrude F. Flint, has never lived in the Cherokee Nation. Born at the Quapaw Agency in the Indian Territory, she was taken at an early age to Seneca, Missouri, and, up to the time of her application, had lived there all her life. The applicant at the time of her application was twenty-one years of age.

Paragraph 9, of Section 21 of the Act of Congress, June 28, 1898 (30 Stats., 495), provides that




"No person shall be enrolled who has not heretofore re-

Cherokee D 310 - 2 -

moved to and in good faith settled in the nation in which he claims citizenship: "

It is therefore the opinion of this Commission that Gertrude P. Flint is not entitled to be enrolled as a member of the Cherokee Tribe of Indians in Indian Territory and that the application for her enrollment as such should be refused and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this MAY 27 1902

R675

101 3 1903

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., May 25, 1903.

In the matter of the application of Levi C. Flint for the enrollment of himself as a citizen of Shawnee blood, and for the enrollment of his wife, Stella A. Flint, as a citizen by adoption of the Cherokee Nation.

Applicants represented by William Henry White, 416 Fifth Street Northwest, Washington, D. C.; Cherokee Nation represented by W. W. Hastings.

Levi C. Flint, being duly sworn, and examined, testified as follows:

Examination by Mr. White.

- Q What is your name, age and so toffice? A Levi C. Flint, post-office Seneca, Missouri, and my age is 69 years old.
- Q You are a Shawnee by blood? A Yes.
- Q Is Mrs. Flint also? A No, she is an Omaha by blood.
- Q What blood? A Omaha.
- Q Where were you married? A Married in Kansas.
- Q About when? A 1853, November or 1853.
- Q Were you living in Kansas in 1868? A Yes.
- Q Did you come to the Cherokee Nation with the Shawnees? A Yes.
- Q When? A In 1871.
- Q Before June 7th? A Yes, before June 7th.
- Q What members of your family also came? A I would have to study that out as I had a big family. They were all enrolled. They will be found on the register.
- Q Did all the family come? A Yes, they all came.
- Q What did you do to earn a living when you came? A Why, I tried to farm while I was here part of the time and part of the time I worked at my trade, blacksmithing.
- Q How long did you remain in the Cherokee Nation, until when? A I remained here until the fall of '74.
- Q How did you come to leave the nation? A Why, I got an invitation from H. W. Jones, United States Indian Agent, to go to the Quapaw Agency to take charge of the Government shop there. That is how I come to leave here. I thought I could do better over there.
- Q Did you leave any property in the nation? A Yes, I had a little property in the nation.
- Q What? A I had a good house for one thing; a little improvement in the way of a farm, a little ground fenced up, eight or ten acres.
- Q Any stock? A Well, a cow and a calf. I didn't have no other stock because my stock died off before I left here.
- Q Was it a team of horses? A It was a team of horses and the other one was a team of mules.
- Q Did the death of the two teams have anything to do with your leaving? A Why, cert inly, I couldn't do anything without a team. I was trying to open up a place.
- Q It then caused you to quit farming? A Yes.
- Q What was the value of the house? A Well, the house was put up for \$600.00;— I paid \$600.00 for it.
- Q Did you leave any farming implements? A Well, at the time I left I didn't have anything but some plow and a harrow.
- Q Did you leave them in the nation? A Yes.
- Q With whom did you leave the cow and calf? A I left them with John Weaver.

2-Levi G. Flint et al.

Q When you went to the Quapaw Agency did you intend to return to the Cherokee Nation or not? A Why, certainly; I applied to the Council to be reinstated not a year after I was discharged from the United States service. I was reinstated, but then I neglected to move back in the required time, and I had to apply again.

Q In 1896 did you appear before the Council? A That was the second time I made the application. The first time was '78 or '80.

Q You were enrolled in 1896? A I took for granted I was enrolled; I didn't stay to see it done. Mr. Lamar that was conducting the case for me showed me that I was reinstated, that I didn't trouble myself any further, I was in a hurry to get back home. I didn't stay to see that I was put on the roll.

By Mr. Hastings: The Cherokee Nation objects to the witness testifying that he was reinstated unless it is the intention of counsel for the applicant to produce a record evidence to substantiate it, which is the best evidence in the case, if it be a fact that he was reinstated this second time as he testifies.

By the Commission: Objection noted.

Q Did you and your wife receive shares of the strip money in '88? A I received money only once since I was there, since I was out of the nation, and I don't remember whether it was strip money or other money; it was just one time. It was on the roll that was made by Wallace.

Q How much did you receive? A I didn't charge my memory with the amount.

Q About how many years ago? A I can't remember now.

Q When did you secure the farm you now hold? A It was directly after I was reinstated, I don't remember exactly.

Q Have your wife and daughter, Gertrude, an interest in this farm? A Why, yes.

Examination by W. W. Hastings.

Q What became of the house and improvements you owned when you left the Cherokee Nation in 1874? A I don't know what Johnson Thompson - what disposition he made of them; I understood afterwards that one of the Landrums got it.

Q You never owned it any longer?

By Mr. White: Object to the question as calling for opinion of law.

By the Commission: Objection noted.

A I thought I owned it as long as it was in Thompson's care, but I don't know what disposition he made of it afterwards.

Q Whose care did you leave it in? A Eld Johnson Thompson.

Q After 1874 when did you next see the improvements, if at all?

By Mr. White: Objected to as immaterial.

By the Commission: Objection noted.

A Well, I passed through one time and I saw it was all gone back to state of nature. The house was gone away.

Q When was that you passed through, as you say? A In '76 or '77, I don't remember.

3- Levi T. Linnet .

Q What became of this now and half you left there with Weaver in 1874, are they living yet?

By Mr. White: Object to the question that it is frivolous.

By the Commission: Objection noted.

A John Weaver kept them until they became quite a bunch of them when I sold the whole bunch to him.

Q When did you sell them to Weaver? A I don't remember what year it was.

Q As near as you can remember? A In '77 or '88, I don't remember the exact date.

Q After 1877 or '78 did you own any improvements or any personal property in the Cherokee Nation before you acquired your present improvements? A No.

Q When did you acquire your present improvements? A I don't remember how long now. It was after I was reinstated by the Council; I got the improvements on the strength of being reinstated; I thought I would hold my rights on that account. I was reinstated in '86, I think.

Q You think in 1886, is that what you say? A I think it was.

Q When were you first reinstated after 1874? A It has been so long,-- in '78 or '80, I don't remember now which exactly.

Q Where were you then living? A I was living at Seneca.

Q Where is that? A Yes sir.

Q Were you required to remove to the Cherokee Nation?

By Mr. White: Object to the question as calling for a conclusion of law.

By the Commission: Objection noted.

A No, there wasn't anything said about my moving back right away. Q Was anything said at all?

By Mr. White: Object to the question as immaterial, as being hearsay.

By the Commission: Objection noted.

A Nothing said about it. Come to remember now, Woodall, the man that reported--- I wasn't present at the Council but Woodall told me that there was no limitation set, I could move back whenever I felt like it; that was from Woodall, he was a member of the Senate.

By Mr. White: We wish to withdraw the objections of the last two questions.

Q Why did you state in your direct statement that you were reinstated upon conditions?

By Mr. White: I object to that as not properly putting the testimony of the witness.

By the Commission: Objection noted.

A I don't remember of making any such statement.

Q Did you ever get any act of Council reinstating you?

By Mr. White: Objected to as calling for secondary evidence.

By Mr. Hastings: The Cherokee Nation desires to answer this objection by stating that if this man was reinstated it would have to be by an act of the National Council or an act of some Commission

having authority to do the same, and the written evidence of that is the best evidence of that fact and not secondary.

A Do you mean did I get a copy of it?

A Yes. A No, I never did; it was all verbal.

Q When do you claim to have been reinstated? A The first or second time? I was reinstated twice.

Q The first time? A It has been so long ago; I said it was either in '78 or '80, but I think it was '80 though.

Q How do you know you were reinstated? Did you ever see any decision of any Court or any act of Council reinstating you? A No, I never did; all that I know was that Mr. Woodall, he was the chairman of the Commission, and he told me about my case; he came to Seneca and reported it to me.

Q Then all you know is just what Woodall told you? A That is all. I suppose though it is a matter of record.

Q When do you claim to have been reinstated the second time? A I think it was in the fall of '83.

Q What authority reinstated you? A Why, the Cherokee Council to the best of my knowledge.

Q Did you ever see a copy of an act of the Cherokee Council reinstating you? A No.

Q You only drew money one time and that was when Mr. Wallace made a roll, is that correct? A Yes, that is correct.

Q Was that in 1889 or 1890 or 1891? A I think it was in '90, I reckon it was, the agent gave me a notice for this payment and I wrote and inquired of him particulars whether I was entitled. I had drawn money before that, a year or two before that, and he said it was the same money that he had paid out, that he had paid out in the first payment; I reckon it must have been '80.

By W.W.Hastings: I will ask the Commission right here to make a note from its record when this Wallace payment was made. I will ask them to place in the record as to when the Wallace roll was made.

By the Commission: It appears from the records of the Commission that the Wallace Roll referred to by the applicant was made in the year 1889 and the payment of that roll was made about 1890 or 1891.

Q How long have you lived in Seneca, Mississippi? A I moved in there in '76.

Q What are you doing there? A I am working at my trade, blacksmithing.

Q Have you any land there? A Yes.

Q When did you purchase it? A Just about '85, I think.

Q Did you own one in Seneca before that? A Before this one I owned one in '85?

Q Before 1895? A No; I was renting all that time.

Q Where is your daughter Gertrude? A She isn't home at present, taking care of her mother.

Q How much farm have you in the Cherokee Nation, how many acres inclosed? A I expect in the neighborhood of from 150 to 200 acres. I was getting a rental of \$15.00 a year until this trouble came.

Examination by the Commission.

Q What authority did you give Thompson with reference to the disposition of your house? A I didn't give him any authority direct. I owed him a little store bill and I understood he disposed of it and got his pay out of that.

Q Who was Mr. Lewis who told you that you were reinstated the second time? A Mr. Lewis was a member of the Council.

5-Levi C. Flint et al.

Q In what way did you keep up your connection with the Cherokee people from the time you went out up to the time you acquired your present improvements? A That was the only way I tried to keep up my connection with them was to come in and get reinstated; when the limit was passed I come back and was reinstated so as to be ready any time to move in whenever I got ready.

Q Of what do your present improvements consist and how did you acquire them; where are they located? A Well, I just answered that question, part of it anyhow.

Q How did you acquire them? A Farm-buildings --.

Q How did you acquire them and where are they located? A I acquired them by purchase. They are located about three miles north of Afton, in Delaware District.

Q Have you voted at elections in Missouri during your residence there? A Yes.

Q How often? A Why, I voted,-- I don't know exactly how often, nearly at every election though with the exception of the first three or four years.

The names of the applicant as Levi C. Flint and his wife as Stella C. Flint appear on the Cherokee-Shawnee pay-roll of 1896 at Nos. 344 and 345, but the roll does not show that the money was paid.

By Mr. White: That also on this book some of the places are indicated as paid while some are blank, and at this particular one there is a blue check. There is no indication showing what the blue check would indicate.

Examination by Mr. White.

Q You have also voted in the Cherokee Nation? A Why, they wouldn't let me do that while I was outside. Judge McKee told me particularly I hadn't no right to vote in the Cherokee Nation while I was outside. I never offered to vote. I thought if that was the rule I wouldn't offer to vote.

By the Commission: The applicant is ~~so~~ deaf that the questions had to be submitted to him in writing.

Charles B. Laughlin, being duly sworn, and examined by applicant's attorney, William Henry White, testified as follows:

Q What is your name, age and postoffice? A Charles B. Laughlin, Seneca, Missouri, and I am fifty-one years old.

Q You are the son-in-law of Levi C. Flint? A Yes sir.

Q Please give me the names of the children of Levi C. Flint and Stella A. Flint, his wife? A George L. Flint is the oldest; then Mrs. Browning, or Sarah E.; then Rebecca L. Laughlin, my wife; Mrs. Lydia Spencer and Gertrude Flint.

Q Gertrude is unmarried? A Yes sir, she is single.

Q Mrs. Browning is dead, is she not? A Yes sir, she is dead at the present time. She has been dead four or five years.

Q How many children did she leave? A Three children.

Q They are all minors? A Yes sir, all minors.

Q Is George Flint married? A Yes sir.

Q Has he any children? A No sir.

Q And Mrs. Spencer has how many children? A She has three children.

Q All minors? A Yes sir, all minors.

Q And you have how many? A Nine; they are all minors except two; they just recently become of age.

Q They were minors when the application was made? A Yes sir, they were minors at the time of the application.

Q Are all of these children whom you have mentioned living? A Yes sir.

-Levi C. Flint et al.

Q Are you familiar with the facts as to Levi C. Flint and Stella A. and Gertrude A. Flint's purchase of improvements in the Cherokee Nation? A Yes sir.

Q When was that made? A That was made in 1896, their present improvements.

Q Where did they get the money to purchase that? A They got it from what is known as the strip payment.

Q Do you know certainly that they received that strip payment? A I do, yes sir; they received that.

Q Did anybody else receive the money for them? A Why, they received the part paid by the United States Government themselves, the adults received their own money, but the part of the Cherokee part I drew that for them under a power of attorney for George L., for Levi and his wife and Mrs. Spencer.

Q Mr. Flint has testified here that he didn't receive the strip payment money; he then is mistaken about that? A How is that, that he didn't receive it? If he didn't he must be mistaken or I am, one or the other.

Q Do you know what use was made of the money? A The money was paid out for these improvements I know; he got the money, but whether he collected this individually I couldn't say or not. If it was collected, I couldn't say whether it was his or his wife, but they got the money I know that.

Q He has not sold these improvements which he purchased? A No sir.

Q Have his wife and Gertrude interests in these improvements or not? A Yes sir.

Q Do I understand you to say that the money received by all three of them was used in the purchase of this place? A Yes sir, that is they used their money in common and they paid for it in common.

Q And they treated the rents in the same way? A Yes sir, the rents in the same way.

Q You are acquainted with Mrs. Lydia K. Spencer, the daughter of Levi C. Flint? A Yes sir.

Q She is your wife's sister? A Yes sir.

Q Where was she educated? A After she first got her common school education mostly in Seneca, Missouri, and then after that I wouldn't pretend to say how old she was, she was then sent to Carlisle, Pennsylvania, the Indian school there.

Q How long did she remain there? A She was there five years. She completed her course in 1892.

Q Do you know when she was born? A Well, she was born about 1871, the early part of it. I forget whether it was February or January.

Q And then when she returned from school she must have been about twenty-one years of age? A Yes, about that.

Q Then if she remained at school five years she must have left for that school when she was about sixteen years of age? A Yes, that is the way it would figure out, about sixteen years of age; she was about that.

Q Who was she married? A She was married in November, of '90.

Q Of the year she returned? A The same year.

Q How long did her husband live? A He was killed on the 8th of July, 1900.

Q They lived as husband and wife until his death? A Yes sir.

Q What is Mrs. Spencer's present employment? A I don't know exactly - at the government farm, it. They call her little boys' matron.

Q Where? A At the school, in the Indian school, Wyandotte. At the Wyandotte Indian School.

Q She is in the government employ there? A Yes sir.

Q How long has she been so employed, since before her husband's death? A Yes sir, before her husband's death. I ain't sure but I think it was in 1899 she was employed.

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Q Yes, she says that her employer told her before her death that she had done it? A Yes, sir, she was in the Government employ then.

P. To be: We offer a statement of the Superintendent and United States Indian Agent, Wyandotte, Indian Territory, as to the character of service of Mrs. Lydia M. Spencer.

W. Hastings: The Cherokee Nation has no objection except that it is immaterial.

Commission: The document will be offered in evidence and made a part of the record in this case.

Q Has Mrs. Spencer any improvements in the Cherokee Nation? A Yes, yes, sir.

Q How did she acquire them, if you know? A I think she acquired them at the same time as the rest; I know they were all getting it the same time.

Q What year was that? A In '86, possibly a year later, '86 or '7. I will say, however, she lost it, - I don't know whether that would count for her property, she had a town lot in Fairland, I don't know whether that is counted; she had a town lot in Fairland in '87.

Q How many acres does she have under lease? A About two hundred; that is about all she has got to it.

Q Has she sold any part of her improvements? A No sir.

Q Mrs. Rebecca L. Laughlin is your wife? A Yes sir.

Q Where were you married? A Sonoe, Miss ri.

Q What? A The fifteenth of April, 1883.

Q How old was your wife at the time of your marriage? A Eighteen; she was married on her eighteenth birthday.

Q Was she employed before her marriage? A Yes sir, she had been employed in the Indian service at this same Wyandotte-Sonoe-Quapaw school.

Q Was she in the employ of the United States Government? A Yes sir.

Q Until the time of your marriage? A Yes sir, up within two or three weeks; she resigned two or three weeks before the marriage.

Q She has been living with you as your wife ever since? A Yes sir.

Q Has she improvements in the Cherokee Nation? A She has, yes sir.

Q How did she acquire them? A In 1883.

Q How many acres of land has she under lease? A About four hundred.

Q Has she sold any part of the same? A No sir.

Q Did she send your children over the strip money? A Yes sir.

Q Was any part of this money used in purchasing improvements in the Cherokee Nation? A It was.

Q Where were your two oldest children born, her two oldest children also? A In the Quapaw Agency; it was in the Peoria reservation, but I was under the jurisdiction of the Quapaw Agency.

Q Do you know whether or no Mrs. Spencer received her pro rata share of the strip money? A Yes sir.

Q Do you know whether or not she used this money for the purchase of improvements in the nation? A Yes sir.

Q Your wife is the daughter of Levi C. Flint and Stella A. Flint? A Yes sir.

Q How were Mr. and Mrs. Preston G. Browning married? A They were married in 1883, in October; I can't tell you the exact date further than the month.

Q Do you know whether or not they acquired any improvements in the Cherokee Nation? A Yes sir.

Q When first? A Well, as near as I can arrive at the date it must have been in the — they commenced improvements in the fall of '85, in the fall and inter.

Q What improvements were they? A They had one hundred acres at that time.

Q Was the house built on that improvement? A The house was built on that improvement.

Q When, if you remember? A I can't tell the exact date of that, whether then this, it was the latter part of that winter which must have made it early in '86; I am arriving at that date, you understand, by a hardware bill I come across. Of course, I looked it up.

Q At the time of Mrs. Browning's death how many acres did she and her husband have improved in the Cherokee Nation? A They estimate that they had eight hundred acres; further than that I don't know, only what they said; they estimated that there were improved eight hundred.

Q Have you seen this tract of land? A Yes sir.

Q What is your estimate on that? A It wouldn't be far off, I would say from 700 to 800.

Q All under fence? A Yes sir.

Q Any other property? A You mean for Brownings?

Q Yes? A Yes, they had interests in lumber yards in the territory.

Q Did Mrs. Browning and her children secure a pro rata share of the strip payment? A Yes sir.

Q Do you know what was done with that money? A No, I don't, further than they told me that it went into his business.

Q What business? A The lumber business.

Q Where? A Well, I suppose in the yards.

Q Where were they? A They were living in Seneca.

Q Where were the yards? A They were in the territory here.

Q Where in the territory? A Do you mean the present time or different times?

Q Different times? A At one time they had one at Prairie City, now called Ogechee, but that was discontinued. They have one at Fairland.

Q They have now? A Yes sir, they have now; one at Vinita, one at Chelsea and one at Grove. They had one at Adair, but that was afterwards abandoned; they put it with one of their other yards. They also had one at Oatcoosa, that was afterwards consolidated with one of their other yards.

Examination by W. W. Hastings.

Q Mr. Laughlin, where were you married? A Seneca, Missouri.

Q Where do you live at present? A I live at Seneca.

Q I believe you say you have nine children? A Yes sir.

Q All but the first two were born in Seneca? A Yes sir, all but the first two, they were born in Missouri; they were born in Seneca, yes, all of them.

Mr. White: All of the but the first two? A Yes, I was answering his question.

Mr. Hastings: How old is your third child? A The oldest one

that is a minor? Q Yes? A She is seventeen, will be eighteen next birthday, next month.

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Q What is your business at Seneca? A I am in the grain business.

Q How long have you been in that business? A Well, to run up all the time I have been in it, I have been in it right at fourteen years, close to it.

Q Do you own a home there? A I own one myself.

Q You are a white man yourself? A Yes sir.

Q Citizen of the United States? A Yes.

Q You don't claim citizenship here? A No sir, I have made no claim to citizenship.

Q Where does George Flint live, your wife's brother? A He now lives in the Ottawa reservation in the Quapaw Agency.

Q How long has he lived there? A Three or four months.

Q Where did he move from? A Seneca. I mean he has been up there about two months.

Q How long had he lived in Seneca, Missouri, prior to his removal there? A I couldn't hardly say about that, I can't remember the exact date. Well, if you will allow guess work I would say ten or twelve years.

Q Where was he married? A The 1st time in Wyoming. He has been married twice.

Q Where was he married the first time? A The Ottawa Nation, Quapaw Agency.

Q You haven't mentioned George Flint as owning any improvements in the Cherokee Nation? A Not that I know of.

Q Now Mr. Laughlin, I want to ask you when you became personally acquainted with Mrs. Browning owning improvements in the Cherokee Nation, she is dead now, but when did you first know of your own personal knowledge? A When we went in.

Q When was that? A That was about the fall of '85.

Q Were you upon those improvements at that time? A No sir, I just got this from conversation with Mrs. Browning and Mr. Browning.

Q When did you first see their improvements? A I couldn't say.

Q Have you ever seen them? A Oh, yes.

Q When first? A That is coming down pretty close, - I couldn't tell you exactly when, but it must have been about some place from '88 to '90.

Q Are these the same improvements that you claim there also, namely their children own now? A Yes sir.

Q I believe you said your wife purchased, or you for her, improvements in about '93? A Yes sir.

Q Where are those? A They are north of Afton, about five miles.

Q Who did you purchase them of? A I purchased them of P. G. Browning.

Q Part of the same improvements he had made? A They are part of the improvements. This first improvements that he made, this eight hundred acres, is outside of the improvements I purchased of him.

Q Where was Browning and his wife married? A They were married in Delaware District, at the Clerk's office.

Q Where was Mr. Browning living at the time? A His home was in Seneca at that time.

Q What was his business at that time? A Well, I think he was in the saloon business at that time.

Q He has always maintained since that time some kind of business in Seneca, hasn't he? A Yes sir.

Q Does he own a home there? A Yes sir.

Q Well, you speak of his being interested in some lumber yards before in the Cherokee Nation. Did he also have one in Seneca, Missouri? A He had an interest in one at Seneca.

Q Did he own them in the Cherokee Nation or did he have an interest in them? A I don't know as to that; that is part of his private business, as far as he owning the whole business I can't say about that. It is understood that they are his lumber yards, that is as far as I know.

Q Mr. Browning's wife died, I believe you said, three or four years ago? A Yes, it is longer than that, I suppose.

Q And how long? A It must be about five years.

Q Since that time he remarried, didn't he? A Yes sir, he remarried since.

Q Do you know about when he married the 1st time? His last wife was a white woman? A Yes sir.

Q He married her some time prior to the first of last September?

A Yes sir, he married prior to September 1, 1902.

Q Where was he living at the time he died? A Seneca.

Q His children living there with him? A Yes sir.

Q Where did his first wife die? A She died in Seneca.

Q Now, after their marriage in 1883, up until each of them died, they lived in Seneca, Missouri, with their family, their children?

A Yes sir.

Q All of their children were born there? A Yes sir.

Q I mean Browning? A Yes sir.

Q Since before the birth of your oldest minor child you and your wife have also lived in Seneca, Missouri? A Yes sir, not continuously either for there was one year I spent in the territory in the government service, about '90.

Q In the Quapaw Agency? A Yes sir.

Q With that exception of one year you lived in Seneca, Missouri?

A One year or a year and a half, yes sir.

Q Now, is Mrs. Spencer living, I have forgotten? A Yes sir.

Q Where does she live? A She is at work in the Wyandotte Indian School.

Q She has been at work there, according to that letter, since August, '99? A Yes sir, I think it was August, '99.

Q Prior to that time where did she live with her husband? A Seneca.

Q Her father and mother were living in Seneca, Missouri, while she was off at Carlisle at school? A Yes sir.

Q They were living there at the time of her marriage? A Yes sir.

Q And subsequent to her marriage she continued to live there until her employment in the Government school in '99, is that true? A Yes sir.

Q I believe you say, her husband was killed in 1900? A Yes sir.

Q Was he a citizen of the United States? A Yes sir.

Q Did they own a home in Seneca? A No sir.

Q What was his business? A He was a traveling man; he was collector for the Peering Harvesting Machine Company part of the year, and part of the year for the Dowagiac Drill Co.

Q Where is Cartrude Flint? A She is at home at present. She is with her father and mother.

Q Has she made that her home all the time? A Yes sir, she has made that her home.

Q Has she been out in the states, away from there? A Yes sir.

Q Where? A She took a course at Carlisle Institute, - I mean

Ha kell Institute, Lawrence, and when she completed she was employed there one year, and two years she has been employed at Fond du Lac, Wisconsin, at the Indian school, and she would have been there yet if it hadn't been for the health of her mother.

Q Her father and mother lived in Seneca, Missouri, and that was her home? A Yes sir.

Q When did this George Flint go to Wyoming? A I don't know.

Q Did you know him when you were married? A Yes sir.

Q Where was he then? A He was in the Ottawa Nation.

Q How long did he stay there after your marriage? A He was there until his wife died, I don't know just what year, but she died probably about two years after I was married.

Q And how long was it before he went to Wyoming? A A good long time after that, I couldn't say how many years. He worked around in that country about as long as I stayed in the Quapaw Agency, he worked around in the Peoria Nation.

Q When did you leave the Quapaw Agency? A In '84 the first time; and then after that he stayed there at what is called the Quapaw Mission School for some time; he was employed there for two or three years anyway.

Q Mr. Laughlin, do you know personally about the purchase of this improvement by Levi Flint and his wife and his daughter, Gertrude?

A Yes sir.

Q Were you present? A I made out the contract.

Q From whom did they purchase it? A From P. G. Browning.

Q Their son-in-law? A Yes sir.

Q Did he give them a written contract? A Yes sir.

Q A Bill of Sale? A It wasn't exactly a Bill of Sale; it was a note in the shape of a contract and that note was redeemed and they got the payment.

Q How do you know? A From the fact that Browning told me so himself.

Q Do you know it personally? A I know it that way. He told me personally that the note had been paid, I didn't see it.

I took his word for it.

Q You told me personally about it too? A Yes.

Q Were you ever on this land that these people purchased? A Yes sir.

Examination by the Commission.

Q When did you first get acquainted with Levi G. Flint? A In 1870.

Q Where was he then? A In the Quapaw Agency.

Q And you have known him ever since? A Yes sir.

Q Was he ever employed by the United States Government? A He was employed and was let out when I came there. There was several employees let out at the same time.

Q What was he doing? A A blacksmith.

Q Where? A At the Quapaw Agency.

Q He hasn't been employed in the United States Government then since 1870? A No sir.

Q Now, you say George L. Flint doesn't own any property in the Cherokee Nation? A No sir, not that I know of.

Q He hasn't lived in the Cherokee Nation since he went out with his father? A I couldn't say about that, any further than he has said he was in the Cherokee Nation about a year afterwards, and I don't know what year it was or where; I just have that from a conversation with him.

Q Now, you say that Preston G. Browning has lived in Missouri ever since his marriage? A Yes sir.

Q Does he rent his farm that he has here? A Yes sir.

Q He first acquired these improvements about '85 or '86? A About '85, I think it was in the fall of '85.

Q Have they owned them ever since that time? A Yes sir, with the exception of what I bought from them. The improvements that he claims now he owned them ever since.

Q You bought yours when? A In '85.

Q That is for your wife? A Yes sir.

Q And children? A Yes.

Q Have you rented them out since that time? A Yes sir.

Q Your wife has never lived in the Cherokee Nation since she left with her father? A No sir.

Q And Gertrude F. Flint has never lived in the Cherokee Nation at all, is that right? A No sir.

Q Now, as did you say that Mrs. Spencer acquired her improvements? A Well, about 1896.

Q The same time as her father? A Yes sir.

Q They rented the also? A Yes sir.

Q She has never lived in the Cherokee Nation since she left with her father? A No sir.

Q Now, none of these applicants have allotments up in the Custer Agency, or any of these agencies? A They have no allotments any place.

Examination by Mr. White.

Q The school which Mrs. Spencer attended at Carlisle, Pennsylvania, was the Indian school at that place? A Yes sir.

Q It is conducted under the United States Government? A Yes sir.

Q Her husband at the time of his death was in that organization?

A He was a private in the United States Army.

Q Does she draw a pension for his death? A Yes sir.

Q Was Gertrude a minor when she began attending the United States Indian school at Haskell; was she under eighteen years of age? A I am not sure about that; I guess she was over eighteen when she went there.

Q Can you fix the date of her birth? A In 1876.

Q And when did she go as a student, I mean to that school? A

It is five years ago, I think since she went.

Q Didn't I understand you to say she was educated there? A She just took a normal course there for teaching; most of her education was received at Seneca.

Q Preston G. Browning is dead, is he not? A Yes sir.

Q When did he die? A The ninth of February, 1903.

Q How many acres are embraced within the improvements owned by Mrs. Laughlin? A About four hundred.

Q And by Mrs. Spencer? A By Mrs. Spencer about two hundred, I think. These are estimates we have to arrive at by a general knowledge of the outlines. You see these improvements don't occupy certain forties, some run on one forty and some on the other. But it is close to two hundred acres.

Q And how many, Levi C. Flint, Stella A. Flint and Gertrude, in their tract? A About one hundred and sixty as near as we can come at it.

Examination by Mr. Hastings.

Q Mr. Laughlin, were you present when Mr. Levi C. Flint drew any of the Cherokee strip money? A No sir, I wasn't present when he drew it.

Q Then what you stated about his drawing is from information you have received from others? A Yes sir, nothing that they had the money to use.

Q You didn't draw it yourself? A No sir.

Examination by the Commission.

Q You draw money for some of these parties? A My wife drew for herself and children.

Q Did you draw for any others? A I drew for all of them when the Cherokee paid, their part.

Q That was for all of them? A Yes sir.

Q You mean for Levi C. Flint, his wife and all his children? A Yes sir, and even George Flint.

- Q And for Mrs. Spencer and her children? A Yes sir.
- Q And for Mrs. Browning's children? A Yes sir, Mrs. Browning and her children.
- Q And for your wife and your children? A Yes sir.
- Q Do you remember how much was paid to you? A No, I don't remember exactly, but it was the balance, whatever the balance was the Cherokees were paying.
- Q Something like fifty dollars a piece? A Yes sir.
- Q Where did you draw that money? A At Vinita.
- Q In '86? A I think it was in '86.
- Q Who paid it to you, do you know? A The Cherokee treasurer; I believe his name was Lipe.
- Q D. W. Lipe? A I don't know his initials; he was the Cherokee treasurer.

H. G. Miller, being duly sworn, and examined, testified as follows:

Examination by Mr. White.

- Q What is your name? A H. G. Miller.
- Q You live at Seneca? A Yes sir.
- Q What business are you in? A I am in the lumber business.
- Q You are associated with Mr. Preston G. Browning in that business at the time of his death? A Yes sir.
- Q Which occurred when? A The tenth of February.
- Q This year? A Yes sir, this year.
- Q Do you know whether or not Mrs. Browning and her children received their share of the payment, of the strip payment? A Yes sir.
- Q Do you know what became of that money? A Well, they invested it in the lumber business.
- Q Do you know when Mr. and Mrs. Browning first began making improvements in the Cherokee Nation? A Why, they established a lumber business at Prairie City in '85.
- Q When the next lumber yard? A The next lumber yard was at Chelsea in '87.
- Q And the next? A At Vinita, in '87.
- Q And the next? A And at Adair shortly after that.
- Q And the next? A Catonsville, along about a year after that.
- Q Is that all? A Then at Fairland in '91, and at Grove in '99.
- Q Is that all? A Yes sir, that is all the lumber yards.
- Q Then as to the farm? A He built his house in the winter of '85 and '86.
- Q Do you know how many acres he first had under fence? A No, I don't know how many acres he had.
- Q Do you know how many they had at the time of her death? A No, only by hearsay.
- Q Do you know whether or not they sold these improvements? A No, they haven't sold the improvements because I know that Mr. Browning was talking about that a short time before his death.

Examination by Mr. Hastings.

- Q When did he discontinue the business at Prairie City? A Well, I don't remember exactly, but it was to the best of my recollection about a year or a year and a half.
- Q After it was established? A Yes sir.

Q When was it discontinued at Cherokee? A It never was discontinued there.

Q It is a firm business in which Mr. Browning had some interest?

A Yes, he established the business.

Q It was run in his name and he had some interest? A Yes sir.

Q In the Cherokee Nation you run it here in his name? A Yes sir.

Q He just had an interest in the business? A We had an interest in the business. You might construe it in there; he Superintended the business.

Q Did he have an interest in the business? A Yes sir.

Q Any financial interest in the business? A Yes, I couldn't tell you how much.

Q Why can't you? A I loaned Mr. Browning some money when he first went into the business and he had money from one other party that I know of, and I couldn't say.

Q Well, that is all over now, can't you tell what interest he had in this business, if any, what financial interest? A Well, because I don't know. I couldn't tell that exactly. I could tell what I let him have.

Q How much did you let him have? A In the first place about \$1300.00.

Q You never saw his farm or anything? A I was on his farm once.

Q When? A It has been several years ago. I don't remember, it was as much as eight years ago.

Q That was the only time you were over one it? A Yes sir.

Q And all the rest you state is what he told you or others told you? A Yes, you might say that to a certain extent. Yes, I know all about his building a house, his lumber and a carload of posts that he bought.

Cyrus C. Gornatzer, being duly sworn, and examined, testified as follows:

Examination by Mr. White.

Q What is your name? A Cyrus C. Gornatzer.

Q And where do you live? A Vinita.

Q How long have you known Levi C. Flint and Stella A. Flint? A All my life.

Q How old are you? A About fifty years old.

Q You knew them in Kansas? A Yes sir.

Q They were recognized Shermans there? A Yes sir.

Q Do you know when they came to the Cherokee Nation? A Yes sir, they came down in '71 when we all came down.

Q Before June 7th? A Yes sir.

Q Did you know them while they were in the nation? A Yes sir.

Q What did Mr. Flint do for a living when he first came to the Cherokee Nation? A Farming.

Q How long did he continue to farm? A Why, up until the time before he left up there. I think it was in '74 when he left.

Q Do you know what his financial condition was at that time? A He was like the rest of us — at all his horses and quit farming.

By W. V. Hastings: Objected to by the Cherokee Nation on the grounds as being immaterial.

Q Do you know when he left the Cherokee Nation? A In the fall of '74.

Q What, if any property, did he leave in the Cherokee Nation when he left, that you know of? A He left a little place there.

A house and he had about — I don't know how much he did have in cultivation.

Q How much did he have fenced if you know? A I couldn't hardly say, I thought about ten or twelve acres.

Q He left the knives behind? A Yes sir.
Q And the fences? A Yes sir.
Q Do you know of any other property that he left? A No, I don't know; I heard he left his cattle with Weaver, but I don't know; that is hearsay.

Examination by Mr. Hastings.

Q What became of his house and that little place that he owned?
A I don't know. I think Landrum bought the house.
Q You didn't know it had gone to Johnson Thompson for a store bill?
A I don't know.
Q Didn't Johnson Thompson afterwards have it in his possession?
A I don't know about that; I knew Landrum bought the house, but I don't know who he bought it from.
Q Was the field improved, or wasn't the house burned up? A No, Landrum moved the house on his place.
Q Moved it away from this place? A Yes sir.
Q The place then that the house was on went back to the public domain? A I don't know, I don't recollect; he bought it.
Q You don't know how long afterwards? A Bill Davis owns the place now.
Q You don't know whether it first went back to public domain, or afterwards taken up, or how? A No sir, I don't know how it was disposed of. I moved away from them afterwards.

By Mr. White: Johnson Thompson is dead, is he not? A Yes sir, that is what I heard.

John Weaver, being duly sworn, and examined, testified as follows:

Examination by Mr. White.

Q What is your name, John Weaver? A John Weaver.
Q Where do you live? A Vinita.
Q How long have you known Levi and Stella A. Flint? A About thirty-two years, I guess, about thirty-two or thirty-three; I have known them since '71.
Q You know then when they came in from Kansas to the nation? A I knew them right afterwards.
Q You know then while they lived in the nation? A Yes sir.
Q What was Mr. Flint doing for a living at that time; when he first came what did he do for a living? A He was tryin' to farm a little, I think.
Q Were you one of his neighbors? A Yes sir.
Q Did you visit his place often? A Yes sir.
Q How often? A About once a week.
Q Do you know why he quit farming? A I think his stock all died on him and his horses and he didn't have anything to buy anymore to carry on his business.
Q They were at this time in bad financial condition, were they?
A Yes sir, I considered them so.
Q Do you know where he went from the Cherokee Nation? A He went up into one of those little agencies up there, I don't know which one.
Q What, if any, property did he leave in the Cherokee Nation when he left? A He left a house and a cow and a yearling.
Q He left the cow and the yearling with you, did he? A Yes sir.
Q What did you do with them? A I left them until they were increased to thirteen head and I bought them from him.

Q How long did that take? A It must have taken something like eight or ten years; it was so long I couldn't tell exactly how long it was.

Q Have you ever visited Flint and his wife at Seneca? A Yes sir.

Q Did you ever have a conversation with either of them in which they stated whether or not they intended to return to the Cherokee Nation? A No, I never had a conversation with them about that.

Q Not with Mrs. Flint? A No sir, I never did myself.

Q Well, who did? A I heard my wife had a conversation with the old lady about that.

Q It was in your presence then? A Yes sir, it was in my presence.

Q What, if anything, in that conversation did Mrs. Flint state in regard to her intention and her husband to return to the Cherokee Nation? A

By W.W.Hastings: Objected to by the Cherokee Nation because it is hearsay, because it is immaterial and because it is self-serving.

By Commission: Objection will be noted.

By Mr. White: The evidence is offered as the best and only evidence of the intention of the party at the time.

By Mr. Hastings: The objection is made to this because the Cherokee Nation believes that the subsequent conduct of these people show that that intention was untrue.

A I heard my wife ask her when they were going to move back and she said they were trying to get ready to move back as quick as they could; that is all I heard said about it.

Q When was this? A Why, that has been about, I think eight or nine years ago.

Examination by Mr. Hastings.

Q They never did move back, did they? A No sir.

Q They still live in Seneca, Missouri? A Yes sir.

Q These people were very poor when they left the Cherokee Nation?

A Yes sir, I considered them very poor.

Q In needy circumstances? A Yes sir.

Q And still they left the only cow and calf they had with you?

A Yes sir.

Q Never had another cow and calf? A I don't know what they had after they left here; that was all they had when they left here though.

Q What became of that little place they were living on? A Well, sir, really I think it was moved off, I don't know.

Q Don't you know Thompson - Johnson Thompson - got it for a store debt? A I don't know, it was moved off.

Q Who took charge of it? A I couldn't say.

Q The house was moved off the place and gave up development? A Yes sir.

Q And reverted to public domain? A Yes sir.

Q And some one else afterwards settled on it? A Yes sir.

Q About how many rooms were in the house? A Two rooms, a frame house.

Q What was it worth? A I would judge at that time it would cost something like four hundred or five hundred dollars.

Q A two-room frame house? A Yes sir.

Q Was it painted? A I think it was.

Q Do you know? A I aint certain, but I think it was painted; it was a two-room house.

Q Don't you know there wasn't a painted house in this country in '71 or '72? A Yes, there was then.

Q How far was it from Vinita? A This old man Roger's place.

Q I aint asking you about that. I am asking how far from Vinita?

A It was twelve miles.

Q You lived adjoining it, did you? A Yes sir, right close to it.

Q You kept this cow eight or ten years? A Yes sir.

Q And then you bought it and paid him for it? A Yes sir.

Q And that is the end of it? A Yes sir.

Q Now this little place, this cow and calf was the only property he left there, was it? A Yes sir, that was all I knew he had.

Examination by the Commission.

Q When did you say this conversation took place? A This was in Seneca.

Q Eight or nine years ago? A Yes sir.

Q When he left this cow and calf with you did he say anything about coming back? A Yes sir, that was his intention.

Q What did he say? A He wanted me to keep the cow and calf until he come back.

Q What did he say to you? A Why he just simply told me to take the cow and calf until he come back, for me to take it for him, that was our understanding.

Q How much of a farm did he have there? A I think there was about eight or ten acres; that was a pretty good farm them days.

Q In cultivation was it? A Yes sir.

Q What time of the year did he move? A I think it was in the fall of the year.

Q Did he make any crops on the farm? A No sir, I don't think there was; I don't think there was any crop on it.

Q When was this house moved? A It was gone before I knowed it as one hardly. But I rather think it was probably along in the spring of '75.

Q That was the year after they moved? A Yes sir, six months or a year afterwards.

Q Where did you buy these cattle from him, while he was in Seneca?

A No sir, I bought them right on my own place.

Q Did he come back? A Yes sir.

Q And said then to you? A Yes sir.

Q Was that the time you had the conversation with him, - your wife had the conversation with his wife? A No sir.

Q Did he say anything at that time about coming back? A No, I didn't hear him say anything about it at that time, I don't believe, since he come down to see about the cattle.

Q Have you been up to his home at Seneca? A No sir, I haven't been up there.

Q Wasn't that where you had the conversation with him? A That was afterwards.

Q You have been up to Seneca? A Yes, I have been up there.

Q Has he got a farm there? A No sir, I haven't a farm there.

Q Has Flint got a place up there? A I couldn't say whether he has or not.

Q What does he do for a living? A He blacksmiths up there for living.

Commission of Applicant's attorney: Mr. White, do you desire to introduce any document by evidence with reference to readmission to citizenship or reinstatement of the applicants? A I don't know that I do; if there is any evidence I would like to have the right to do that within a reasonable time; allow me that for five days.

By Commission: Applicant will be allowed five days to present evidence of the readmission to citizenship of the applicants in these cases, if he so desires. The Cherokee Nation will likewise be allowed to introduce testimony that they were not reinstated.

By W. W. Hastings: The Cherokee Nation desires to offer in evidence Section 761 of the Compiled Laws of the Cherokee Nation found in the Compilation of 1892, pages 376 and 377, as follows:-

"All improvements, which may be left uncultivated by any person or persons, citizens of this Nation, and such person or persons remove to another place, leaving no person or tenant on their former place, for the term of one year, such place or improvements shall be considered abandoned, and revert to the Nation as common property; and any person or persons whatever, citizens of this Nation, may take possession of any such improvement so left, which shall then be considered their lawful property; provided, nothing in this act shall be so construed as to impair the rights of orphans."

The Cherokee Nation offers in evidence Section 226 of the Compiled Laws of the Cherokee Nation of 1892, page 136 of the Compilation of 1892:

"Judgment shall not be rendered for the recovery of any improvement upon the public domain in any suit brought before the courts of this Nation, unless such suit be instituted, as required by law, within three years next after the time at which the right of bringing suit for the recovery thereof, or the cause of action shall have accrued to the person claiming the same, or to the person through whom he claims, saving to minors and persons 'non compos mentes,' the three years named above after the removal of their disabilities."

By Commission:

Applicant desires to have the testimony taken in this case filed and made a part of the record in the following cases: George L. Flint, Cherokee R-680; Gertrude E. Flint, Cherokee R-675; Lydia E. Spencer et al., Cherokee R-676; Weston G. Brown et al., Cherokee R-78, and Reuben L. Laughlin et al., Cherokee R-677; and it is so ordered.

By Mr. White: I state that I have gone through the Executive Office of the Cherokee Nation where certain books were shown to purporting to be acts of the Cherokee National Council for the years 1879 and 1880 and for the year 1896; that the clerk in custody of those records stated that they were the only records he had and I wish to object at this time to the introduction of any transcripts of those records, or to any certificate that as to whether what does or what does not appear of record, for the following reasons: First, that the records bear upon their face the evidence of having been carelessly kept; second, that in some instances they purport to be signed by the various officials of the Cherokee National Council, but an inspection shows that the handwriting of all the signatures are the same, and they were therefore not signed by the officials them-

se ves; third, nowhere in such records does it appear that the records contain all of the acts of the Cherokee National Council; fourth, there is no resolution of the Cherokee National Council showing that the records kept contain all of the acts of the Cherokee National Council; fifth, in the absence of this matter of identification I will further object to the introduction of them unless the handwriting is proven; further, I am compelled to live the city at once and consent that Mr. Hastings, for the Cherokee Nation, may introduce J. T. Parks, as a witness, who is the Executive Secretary, in my absence.

Evidence taken on part of the Cherokee Nation on

MAY 26, 1903.

Cherokee Nation represented by W. W. Hastings; No appearance of W. H. White, Applicant's Attorney.

Andrew B. Cunningham, being duly sworn and examined, testified as follows:

By W.W.Hastings: Your name is Andrew B. Cunningham? A Yes sir.

Q What is your age? A Thirty-two.

Q What is your postoffice? A Tahlequah.

Q What official position, if any, do you hold? A I am Assistant Executive Secretary of the Cherokee Nation.

Q Who is the Principal Executive Secretary? A J. T. Parks.

Q Is there another Assistant Executive Secretary in addition?

A Yes, J. L. Garrett.

Q Are you all three the custodian of the records of the Executive Department of the Cherokee Nation equally? A Yes.

Q I will ask you if Mr. Parks is present and in the town of Tahlequah at this time? A He is not.

Q When did he leave town? A He left town Tuesday noon.

Q Last Tuesday at noon? A Yes sir.

Q I will ask you if he is expected to be gone some days? A He told me he would be back about Sunday or Monday.

Q This coming Sunday or Monday? A Yes sir.

Q Where has he gone? A He went to his farm way up on the Missouri line. He went around by the way of Vinita with his family and he probably stopped there for a day or so; his wife and baby went with him.

Q Well, you have already stated that you are custodian of the records along with J. T. Parks and your other Assistant Executive Secretary of the records of the office of the Cherokee Nation? A Yes sir.

Q Are you the custodian of the acts of the Cherokee National Council? A Yes.

Q Mr. Cunningham, what has always been the practice, or how are the acts of the National Council kept after they are passed or enacted into law, are they transcribed in any books for preservation?

A Yes, the custom of the Cherokee government when an act is passed by the National Council and approved by the Chief it is turned over to the Secretary and transcribed into a book marked "Laws of the Cherokee Nation" from a certain date to a certain date. In many instances these original acts are returned to the

house in which they originated; I don't know where they are; there may be some old acts in the Senate safe or Council desks, but in many instances they were returned; that was the custom many years ago. We have some of them on file of late years.

Q Have you examined the original records of the Executive Department in which the acts of the National Council are kept for the years, say from 1875 to 1880 inclusive? A Yes, I examined the acts in that book. (Book presented before the Commission.)

Q Is this the book you present here? A Yes sir, we recognize this as the record of law from 1875 to 1880.

Q So far as you know does that contain all the law between those dates? A As far as I know it does, yes; that is all except 1880 and I have another record over there with the balance of '80.

Q Then it contains all the law from '75 to 1880 inclusive except a few in 1880 which is continued in another book? A Yes sir.

Q I will ask you if these records bear upon their face that they have been carelessly kept? A No, I don't think so. I think the records in those days were much better kept than they are at present.

Q I will ask you if any of the laws which are copied into these records which you present here to the Commission were ever signed by the Council officials, or were they copied in here by the Executive Secretary? A The Executive Secretary simply had one of his Assistants copy this act as approved by the Principal Chief, and all of those names were copied right off into a book, and in many instances these original acts were sent back to the Council. It used to be the custom to return them at once as soon as they were transcribed.

Q Well, these acts were compared with the original? A Yes, it was the custom for the Assistant to copy or transcribe an act and there was an Assistant there to compare it; that was the way we worked these things.

Q Do these records purport to contain all of the acts of the National Council between these dates of which you stated? A They do.

Q Was it ever reported as necessary that the National Council pass a resolution certifying that these books were correct copies? A I never knew of anything like that, or of it deemed to be necessary.

Q Now you state that you examined these laws from 1875 to 1880 inclusive and also the acts of 1886. I will ask you if these records contain in any act or resolution or action of the Cherokee National Council anything to citizenship or reinstating a Levi C. Flint to citizenship in the Cherokee Nation? A I have, yes examined those records and fail to find any such record.

By Mr. Hastings: Here the Cherokee Nation tenders the original records testified of by A. B. Cunningham, Assistant Executive

Secretary of the Cherokee Nation, to the Commission for inspection and for such remarks as the Commission might find necessary to make with reference whether or not they have been carelessly kept or whether or not they have been well preserved inasmuch as objection was made to them upon this ground by the attorney for the applicant in this case.

C The record in this case shows that Levi C. Flint's wife's name was Stella A. Flint and they had children by the names of George Flint, Rebecca, Lydia K., Sarah F. and Gertrude. Rebecca afterwards married a man by the name of Laughlin; Lydia married a man by the name of Spencer, while Sarah F. married a man by the name of Preston G. Manning. I will ask you to examine the records of those dates and refer me to and see whether or not there is on that

11-Levi C. Hunt et al.

any persons of this family were admitted to citizenship or re-naturalized to citizenship in the Cherokee Nation? A I have examined these records from '75 to '80 and I find no record of any of those parties mentioned being admitted or readmitted. I find no records of admission of any of those parties in 1886, or '80, from '75 to '80 and 1886.

Q Well, you found no record of any of those parties being admitted at any time, but you examined those years particularly and you did not find them? A I examined those years and I find those parties not admitted. I examined the acts from 187 to 1880 inclusive and the act of 1886.

By the Commission: The Cherokee printed list of persons admitted or readmitted to Cherokee citizenship by the National Council and Cherokee Commissions on citizenship in the year 1880 and since that year, which list is now in possession of this Commission, has been examined for the names of the applicants in these cases, and such examination fails to disclose any of the names of the applicants.

By W.W. Hastings: The representative of the Cherokee Nation here desires to answer the objection made by Counsel for the applicants and states that it is untrue that the records bear upon the face that they are carelessly kept, and said original records are hereby tendered to the Commission for its inspection, and we contend that the records show that they have been well preserved and that they have been carefully kept, that all of the laws were transcribed into them carefully, using good penmanship, and that they are properly indexed. And in answer to the second objection of Counsel for the applicant it is not contended by the Cherokee Nation that these are the original acts of the National Council, but is claimed by the witness on the stand that these records contain the acts of the National Council transcribed by the proper officials of the Cherokee Nation into these books for safe preservation and only purport to be copies of the original acts. And in answer to the third objection it is contended that these books do purport to contain all of the acts of the Cherokee National Council and it is not shown by the applicants that any act of the National Council was ever passed during those dates that is not found in these books. In answer to the fourth objection it is contended that no resolution was necessary to be passed by the Cherokee National Council authenticating these acts and were transcribed under the supervision of the Principal Chief of the Cherokee Nation by some officer of the Cherokee Nation in whose custody they still are. In answer to the fifth objection that they are inadmissible unless the handwriting is proven, we say then that it would be necessary for all officials to live forever if that were true, because when he dies the record will die with him, and one of the main objects for keeping records is to preserve them after the death of the parties who made them.

22-Levi, Clint et al.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothberg

Subscribed and sworn to before me this 1st day of June, 1903.

Samuel Foreman

Notary Public.

Cherokee D 310.


DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory, August 3, 1903.

In the matter of the application for the enrollment of
Gertrude P. Flint as a citizen of the Cherokee Nation of Shawnee
blood.

S U P P L E M E N T A L S T A T E M E N T .

An examination of a printed copy of the register of
Shawnee Indians who removed to and located in the Cherokee Nation
within two years from the ninth day of June, 1869, in accordance
with an agreement entered into by and between the Shawnees and the
Cherokees, and approved on said date, shows that the applicant's
father is identified thereon at #323, as Flint, Levi.

Copies of this statement are ~~ordered~~ filed herewith and
made a part of the record in this case.


Commissioner.

Cherokee D 310 (R 675).

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Gertrude F. Flint, a citizen of the Cherokee Nation of Shawnee
blood.

D E C I S I O N . .

The record in this case shows that on September 17, 1900, Gertrude F. Flint appeared before the Commission at Vinita, Indian Territory, and made application for enrollment as a citizen of the Cherokee Nation of Shawnee blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, February 24, 1902. The record further shows that on May 27, 1902, the Commission rendered its decision denying said application, which decision was approved by the Department September 13, 1902; that on March 12, 1903, a motion to reopen said case was filed; that the Department, having on March 23, 1903, allowed said motion, remanded said case on April 11, 1903, for further proceedings and readjudication; and that on May 25, 1903, further proceedings were had therein at Tahlequah, Indian Territory.

The evidence shows that the applicant was twenty-one years of age at the date of this application, that she is a daughter of Levi C. Flint, who is identified on the register of Shawnee Indians who removed to and located in the Cherokee Nation within two years from the ninth day of June, 1869, in accordance with an agreement entered into by and between the Shawnees and the Cherokees, approved on said date; and that said applicant, Gertrude F. Flint, is identified on the Wallace and Dickson rolls of Shawnee-Cherokees, on the Cherokee-Shawnee pay roll of 1896, and on the Cherokee census roll of 1896.

The evidence further shows that the applicant was born at the Quapaw Agency in Indian Territory, and shortly afterwards was taken to Missouri where she has since resided with her father. It further appears that in 1896, while the applicant was a minor, her father purchased an interest in an improved farm in the Cherokee Nation for her and with her money, and that she has since maintained possession and ownership thereof.

It is, therefore, the opinion of this Commission, following the decision of the Department in the case of Ora M. Camp (I.T.D. 1418-1903), that the said Gertrude F. Flint should be enrolled as a citizen of the Cherokee Nation of Shawnee blood, in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.


Commissioner.

Muskogee, Indian Territory,
this MAR - 5 1904

6 2310

HENRY L. ARPS
JAMES BIRBY
THOMAS H. NABULOS
K. BRACKENRIDGE

ALFRED L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory.

February 6th,

1902

Mrs Gertrude F. Flint,

Seneca, Missouri,

Madam:-

You are hereby notified that the application of **yourself**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the **24th** day of **February**, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-310

Register.

Acting Chairman.

Muskogee, Indian Territory, March 21, 1902.

S. S. Clover, Esq.,

Attorney at Law,

Vinita, Indian Territory,

Dear Sir:-

The Commission is in receipt of your letter of March 17, enclosing certified copy of extracts from the Wallace roll and Dickson roll, which copies you desire filed with the applications for enrollment as citizens of the Cherokee Nation of Rebecca L. Laughlin et al, Cherokee D-312; Preston G. Browning et al, Cherokee D-314; Levi C. Flint, Cherokee D-315; George L. Flint, Cherokee D-316; Gertrude V. Flint, Cherokee D-310, Lydia K. Spencer, Cherokee D-311.

This paper is herewith returned to you and you are requested to have each extract from the roll certified to separately; the one certificate which you send can not be filed in six different cases.

Yours truly,

Commissioner in Charge.

Enc. 2-5

5

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

May 27, 1902

SUBJECT

Transmitting record and
proceedings in the matter of
the application for the enroll-
ment of Gertrude F. Flint as a
citizen of the Cherokee Nation,
including decision of the Com-
mission.

1902

3788

DEPARTMENT OF THE INTERIOR.

No. of inclosure **MAR 3 111903**

Returned with No. 2

Inclosure

IND. TER. DIV.

MEMORANDUM

HENRY J. DAWSON

TAMM HARRIS

THOMAS D. NELSON

W. BRIDGEMAN

ALLEN S. WORTH

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 27, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record and proceedings had in the matter of the application for the enrollment of Gertrude F. Flint as a citizen of the Cherokee Nation, including the decision of the Commission dated May 27, 1902, refusing the application for the enrollment of said person as a citizen of the Cherokee Nation.

Very respectfully,



Acting Chairman.

Encl. D-810.

Cher. D-310.

Muskogee, Indian Territory, May 27, 1902.

W. W. Hastings, Esq.,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Gertrude F. Flint as a citizen of the Cherokee Nation of Shawnee blood.

This decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision.

The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Very respectfully,

22

Acting Chairman.

Encl. C-10.

Cher. D-310.

Muskogee, Indian Territory, May 27, 1902.

Gertrude F. Flint,
Sedalia, Missouri.

Madam:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Gertrude F. Flint as a citizen of the Cherokee Nation of Shawnee blood.

This decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision.

The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Very respectfully,


Acting Chairman.

Encl. C-34.

Register.

Cher. D-310.

COPY.

Muskogee, Indian Territory, May 27, 1902.

S. S. Clover, Esq.,
Attorney at Law,
Vinita, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Gertrude F. Flint as a citizen of the Cherokee Nation of Chawnee blood.

This decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision.

The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Very respectfully,

W. H. C.

Acting Chairman.

Encl. C-54.

Register.

Refer in reply to
the following:
Land
31848--1902.

COPY.

Department of the Interior,
Office of Indian Affairs,
Washington, June 16, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith a report dated May 27, 1902, from the Acting Chairman of the Commission to the Five Civilized Tribes forwarding for the Department's consideration the record relative to the application of Gertrude F. Flint for enrollment as a citizen of the Cherokee Nation. The applicant claims to be a Cherokee Shawnee.

May 27, 1902, the Commission held that the applicant was not entitled to enrollment. The applicant was not, at the date of her application, a resident of the Cherokee Nation, neither did she reside therein on June 28, 1898. This being true, the decision of the Commission is correct and the office recommends its approval.

In connection with this matter attention is invited to office report of even date transmitting the record relative to the application of Levi C. Flint for enrollment as a Cherokee.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner.

G. A. W. (S)

D. C. No. 15412-1902.

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I. P.

L. R. S.

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ITD. 3788-1902.

DEPARTMENT OF THE INTERIOR.

Washington, September 13, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

May 27, 1902, you rejected the application of Gertrude F. Flint for enrollment as a citizen of the Cherokee Nation, and with your letter of that date you transmitted the record in the case. Arguments for applicant have been filed by local attorneys since the case reached the Department.

It appears that the applicant was at the time of the application to you for enrollment, 21 years of age; that she, at the time of said application, September 17, 1900, was a resident of Wisconsin; that she was born at the Quapaw Agency, Indian Territory, where her father, an adopted Shawnee Cherokee, was a government blacksmith, and was taken at an early age to Seneca, Mo., and lived there, except the last two years, when she has resided in Wisconsin, where, since her application for enrollment, she has been employed as a government school teacher. Neither her name nor that of her father, Levi C. Flint, appears upon the Cherokee authenticated roll of 1880. She is identified on the Wallace and Dickson rolls of Shawnee Cherokees and upon the Cherokee-Shawnee pay roll of 1896 and the Cherokee census roll of 1896. As the act of June 28, 1898 (30 Stat., 495), provides that no person shall be enrolled who had

not theretofore removed to and in good faith settled in the nation in which he claims citizenship, you held that the claimant was not entitled to enrollment.

The Acting Commissioner of Indian Affairs June 16, 1902, reporting in the matter, referred to his letter in the case of Levi C. Flint, and recommended that your decision be concurred in.

In view of the mentioned provision of the act of June 28, 1898, your decision is affirmed. Attention is called to departmental decision of even date in the case of Rebecca L. Laughlin et al. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos Ryan

Acting Secretary.

1 inclosure.

KMD

Cherokee D 310.

Muskogee, Indian Territory, October 4, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision of date May 27, 1902, rejecting the application of Gertrude F. Flint for the enrollment of herself as a citizen of the Cherokee Nation by Shawnee blood, was affirmed by the Secretary of the Interior on September 13, 1902.

Respectfully,

Acting Chairman.

Cherokee D 310.

Muskogee, Indian Territory, October 4, 1902.

S. S. Clover,

Attorney for Gertrude F. Flint,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision of date May 27, 1902, rejecting the application of Gertrude F. Flint for the enrollment of herself as a citizen of the Cherokee Nation by Shawnee blood, was affirmed by the Secretary of the Interior on September 13, 1902.

Respectfully.

Acting Chairman.

Cherokee D 310.

Muskogee, Indian Territory, October 4, 1902.

Gertrude F. Flint,
Seneca, Missouri.

Dear Madam:

You are hereby advised that the Commission's decision of date May 27, 1902, rejecting your application for the enrollment of yourself as a citizen of the Cherokee Nation by Shawnee blood, was affirmed by the Secretary of the Interior on September 13, 1902.

Respectfully,

13
Acting Chairman.

D.C. 8304-1903.

DEPARTMENT OF THE INTERIOR

J. H.
F. E.

I. I. I. 3788-1902.
3647-1903.

WASH-INGTON.

Arch. 23, 1903.

I. I. I.

Commission to the Five Civilized Tribes,

Winkoche, Indian Territory.

Settlement

March 12, 1903, the attorneys for Gertrude F. Flint requested that the case involving her application for enrollment as a citizen of the Cherokee Nation be reopened, in which case a decision adverse to the claimant was rendered by the Department September 15, 1902, as the points of law involved in said case are similar to those involved in the case of Joseph B. Yeargain, et al., and that you be directed to withhold from allotment the lands embracing the improvements of the applicant.

The application to reopen the case is hereby granted, in order that a reexamination of the matter may be had in the light of the opinion of March 12, 1903 in the Yeargain case, and it is directed that you take proper steps to protect all rights the applicant may have until further advice in the matter.

Respectfully,

Thos. Ryan,

Acting Secretary.

D. C. 10606-1903

J.P.
FHE

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D. 3788-1902
~~2647-~~ 1903
IRS 3418- "

April 11, 1903.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

September 13, 1902, the Department affirmed your decision rejecting the application of Gertrude F. Flint for enrollment as a citizen of the Cherokee Nation.

March 12, 1903, a motion to reopen the case was filed, of which you were advised March 23, 1903.

It appears that the applicant was born in the Quapaw Agency, Indian Territory, and that she was taken at an early age to Seneca, Missouri, and has not since that time resided in the Cherokee Nation; that at the time of the application in this case, about September 17, 1900, she was 21 years of age.

The testimony in this case was taken and your decision and that of the Department were rendered under a different understanding of the provision in the act of June 25, 1898 (30 Stat., 495), from that expressed by the Department in the case of Clement G. Clarke of March 17,

-2-

1903, and the opinion of the Assistant Attorney General of March 16, 1903, in the Yeargain case. The case is therefore remanded for further proceedings and readjudication in the light of said opinion and decision.

The testimony and the papers attached thereto, and arguments filed by the attorneys for the applicant August 25, and September 5, 1902, are herewith inclosed.

Respectfully,

(signed) Thos Ryan,
Acting Secretary.

3 inclosures.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAY 6 1903

RECORDED

W 310

D.C. 11379-1903

DEPARTMENT OF THE INTERIOR.

J.P.

FHE

WASHINGTON.

I.T.D. 3788-1902
3649-1903

LRS

April 16, 1903.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

Referring to departmental letter of April 11, 1903,
remanding the case of Gertrude F. Flint, applicant for enroll-
ment as a citizen of the Cherokee Nation, there is herewith
inclosed a motion in said case, with affidavit attached thereto,
received subsequent to the time of said action of April 11,
1903.

Respectfully,

(signed) Thos Ryan,
Acting Secretary.

1 inclosure.

Cherokee R-675

Muskogee, Indian Territory, April 27, 1903.

Gertrude F. Flint,
Seneca, Missouri.

Dear Madam:

You are hereby notified that, on April 11, 1903, the Secretary of the Interior remanded, for the taking of further testimony, your application for enrollment as a citizen of the Cherokee Nation. Evidence is particularly required as to your residence in the Cherokee Nation.

You are advised that any further testimony that you may have to introduce in the matter of your application for enrollment may be presented before the Cherokee Land Office of this Commission, at Vinita, Indian Territory, on or before April 30, 1903, or at Tahlequah, Indian Territory, after May 4, or before May 23, 1903.

When you appear, please present this letter.

Respectfully,

Chairman.

GRS

Muskogee, Indian Territory, April 27, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is enclosed you herewith a copy of a letter from the Secretary of the Interior, dated April 11, 1903, remanding, for the taking of further testimony, the application of Gertrude F. Flint for enrollment as a citizen of the Cherokee Nation.

The applicant and her attorney have, this day, been notified that any further evidence they may have to introduce in this case can be presented before the Cherokee Land Office of this Commission, at Vinita, Indian Territory, on or before April 30, 1903, or at Tanlequash, Indian Territory, after May 4, 1903, or before May 23, 1903.

Respectfully,

Chairman.

Encl-S-116

GRS

Cherokee R-675

Muslogee, Indian Territory, April 27, 1903.

S. S. Clover,

Attorney for Gertrude P. Flint,

Vinita, Indian Territory.

Dear Sir:

There is enclosed you herewith a copy of a letter from the Secretary of the Interior, dated April 11, 1903, remanding, for the purpose of taking additional testimony, the application of Gertrude P. Flint for enrollment as a citizen of the Cherokee Nation.

Additional testimony is particularly required as to the residence of the applicant in the Cherokee Nation, and you are hereby notified that any further testimony that you may wish to present on behalf of the applicant in this case should be presented before the Cherokee Land Office of this Commission, at Vinita, Indian Territory, on or before April 30, 1903, or at Tahlequah, Indian Territory, after May 4, or before May 23, 1903.

Respectfully,

Encl-S-115

Chairman.

GRS

Cherokee R. 675

Tahlequah, Indian Territory, July 23, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

There are transmitted herewith the original card, jacket and record in the matter of the application of Gertrude F. Flint for enrollment as a citizen by blood of the Cherokee Nation, Cherokee R. 675.

This case was reopened and remanded by the Secretary of the Interior on March 23, 1903, for further proceedings and re-adjudication. Further testimony was taken on May 25, 1903, a copy of which is a part of the record.

The record in this case is now considered complete and the same is transmitted to the office at Muskogee that a decision may be prepared.

Respectfully,

Encl-H-65

Commissioner in Charge
Cherokee Land Office.

Cherokee R 675

Muskogee, Indian Territory, June 8, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 5, 1904, granting the application for the enrollment of Gertrude F. Flint as a citizen of the Cherokee Nation of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to furnish the applicant. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-24

Chairman.

COPY.

Cherokee R-675.

Muskogee, Indian Territory, June 30, 1904.

The Honorable,

The secretary of the Interior.

Sir:

Referring to Departmental letter of April 11, 1903, (I.T.D. 3418-1903) there is herewith transmitted the record of proceedings had in the matter of the application of Gertrude F. Flint, for enrollment as citizen of the Cherokee Nation of Shawnee blood, including the Commission's decision, dated March 5, 1904, granting said application.

Respectfully,

I. B. Needles.

Through the

Commissioner in Charge.

Commissioner of Indian Affairs.

Enc. 1-6.

COPY.

Cherokee
R-675.

Muskogee, Indian Territory, June 30, 1904.

Gertrude E. Flint,
Beroda, Missouri.

Dear Madam:

There is herewith enclosed a copy of the Commission's decision, dated March 5, 1904, granting your application for enrollment as a citizen of the Cherokee Nation of Spawnee blood. There has heretofore been furnished your attorneys, Marshall & White, Washington, D. C., a copy of the record of proceedings, and there has this day been forwarded to them a copy of the Commission's decision.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Enc. 1-4.

Register.

COPY.

Cherokee
B-675.

Muskogee, Indian Territory, June 30, 1904.

Cimball & White,
Columbian Bldg.,
Washington, D. C.

Gentlemen:

There is herewith enclosed a copy of the Commission's decision, dated March 5, 1904, granting the application of Gertrude E. Flint for enrollment as a citizen of the Cherokee Nation of Shawnee blood. You have heretofore been furnished with a copy of the record of the proceedings.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Enc. I-5.

Re Inter.

DEPARTMENT OF THE INTERIOR,

Refer in reply
to the following:
Land.
43899-1904.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, September 30, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose herewith, a report from the Commission to the Five Civilized Tribes, dated June 30, 1904, transmitting the record of the application for enrollment as a citizen of the Cherokee Nation by Gertrude F. Flint.

March 5, 1904, the Commission decided favorably to the applicant.

The record shows that;

May 27, 1902, the Commission decided adversely to the applicant.

September 13, 1902, the Department affirmed the decision.

April 11, 1903, the Department rescinded its former action and remanded the case for further testimony and readjudication in the light of the Department's decision in the case of Clement C. Clarke of March 17, 1903, and the opinion of the Assistant Attorney General of March 16, 1903, in the Yeargain case. It is further shown that the applicant was twenty one years of age at the date of the record; that she is a daughter of Levi C. Flint, who is identified on the register of Shawnee Indians who removed to,

and located in the Cherokee Nation within two years from the 9th day of June 1869; that the applicant is identified on the Wallace and Dickson rolls of Shawnee-Cherokees, on the Cherokee-Shawnee pay roll, and on the Cherokee census roll of 1896.

It is further shown that the applicant was born in the Quapaw Agency, in Indian Territory, and shortly afterwards was taken to Missouri, where she has since resided with her father. It further appears that in 1896, while the applicant was a minor, her father purchased with her money an interest in an improved farm in the Cherokee Nation, and that she has since maintained ownership and possession thereof.

In view of the record the approval of the Commission's decision favorable to the applicant is recommended.

Very respectfully,

A. C. Tenner

Acting Commissioner.

M.M.W.
W.

I.T.D.
9122-1904.

(C O P Y)

J.R.W.
W.C.P.
S.V.P.

DEPARTMENT OF THE INTERIOR,
Office of the Assistant Attorney-General,
Washington, March 23, 1905.

The Secretary of the Interior,

Sir:

I received by reference of October 18, 1904, with request for opinion thereon, the papers in the application of Gertrude F. Flint, to be enrolled as a citizen of the Cherokee Nation.

The applicant was born at Quapaw agency in 1879, of identified Cherokee-Shawnee parents, then employed by the United States. Her father for three years before such employment had been an actual resident of the nation under the Cherokee-Shawnee agreement of June 9, 1869, under Article XVI of the treaty of July 19, 1866 (14 Stat., 799), having there at time of his employment an improved farm, with a house costing four to six hundred dollars, and some cattle, which he left in the nation, then intending to return thereto. She is not upon the authenticated 1890 Cherokee roll, but is identified upon the Wallace roll, and Dickson roll of Shawnee-Cherokees, and Cherokee-Shawnee pay roll of 1896, and on the 1896 Cherokee census roll. She drew the strip payment, which her father invested, in 1896, for her in purchase of improvements upon lands in the nation which she still

possesses and owns. Applicant has not herself returned to the nation. For two years prior to February 24, 1902, she was in government employ.

The Commission, May 8, 1904, decided that she was entitled to be enrolled. The Commissioner of Indian Affairs was of opinion that applicant is entitled to be enrolled, and, September 30, 1904, recommended that the decision of the commission be approved.

I am of opinion that the action of the commission should be approved. Applicant's birth of Cherokee parents, temporarily outside the nation in employ of the United States and intending to return to the nation, was in legal effect a birth within the nation and to its allegiance. Such right was not lost by detention in pupilage of her parents outside the nation, if within reasonable time from attaining her majority she identified herself and her interests with the Cherokee people, as she has by the holding and possession of the rights to improvement of lands purchased for her of her funds during her minority.

Very respectfully,

Frank J. Campbell,

Assistant Attorney-General.

Approved: March 25, 1905.

E. A. Hitchcock,

Secretary.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

WCF
FHB

D. C. 17802-1905.
I.T.D. 9122-1904.
3090-1905.

April 4, 1905.

L. R. 8.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen :

June 30, 1904, you transmitted the record in the matter of the application for the enrollment of Gertrude F. Flint as a citizen by blood of the Cherokee Nation, including your decision of March 5, 1904, which was favorable to the applicant.

Reporting September 30, 1904, the Acting Commissioner of Indian Affairs recommended that your decision be approved. A copy of his letter is inclosed.

In an opinion of the Assistant Attorney General dated March 25, 1905, approved by the Department the same day, it was held that your decision holding that the applicant should be enrolled is correct. A copy of said opinion is inclosed herewith.

Your decision favorable to the applicant is hereby affirmed.

Respectfully,

Thos Ryan

2 inclosures.

Acting Secretary.

COPY

Cherokee R-675.

Muskogee, Indian Territory, April 17, 1906.

Gertrude F. Flint,
Seneca, Missouri.

Dear Madam:

You are hereby advised that the Commission's decision dated March 5, 1904, granting the application for your enrollment as a citizen of the Cherokee Nation of Shawnee blood, was affirmed by the Secretary of the Interior on March 31, 1906.

You are further advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

(SIGNED) *Tams Dixby.*
Chairman.

COPY.

Cherokee R-675.

Muskogee, Indian Territory, April 17, 1905.

Kimball & White,

Attorneys for Gertrude F. Flint,

Columbian Building, 416 Fifth Street, N.W.,

Washington, D. C.

Gentlemen:

You are hereby advised that the Commission's decision dated March 5, 1904, granting the application for the enrollment of Gertrude F. Flint as a citizen of the Cherokee Nation of Shawnee blood, was affirmed by the Secretary of the Interior on March 31, 1905.

Respectfully,

(SIGNED)

Jane Bixby.
Chairman.

COPY.

Cherokee 10880.

Muskogee, Indian Territory, April 19, 1905.

Commissioner in Charge,

Cherokee Land Office,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed Cherokee Enrollment card
No. 10880.

Respectfully,

Incl. 3-1

(SIGNED). *Tams Bixby.*
Chairman.

COP

Cherokee R-675.

Muskogee, Indian Territory, April 17, 1905.

W. W. Hastings, Esq.

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated March 5, 1904, granting the application for the enrollment of Gertrude F. Flint as a citizen of the Cherokee Nation of Shawnee blood, was affirmed by the Secretary of the Interior on March 31, 1905.

Respectfully,

(SIGNED). *James Bixby.*
Chairman.

Cher 10881

Thomas Terrapin

Trans. from D2902

Cher 10881

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLITT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

JAMES BULLITT, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A James Bullitt.
Q What is your age? A Thirty-two years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Thomas Terrapin #2132 Going Snake District
also on 1880 roll page 479 #1716 Going Snake district as
John Tarpen. On 1896 roll as Tarpin
Jennie Terrapin #2133 Going Snake District as Tarpin
Lydia Terrapin #2134 Going Snake District as Tarpin

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that he stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. C. Bagwell

Subscribed and sworn to before me this December 9, 1902.

Notary Public

CP 2902

TO: SAC, NEW YORK (100-100000) FROM: SAC, NEW YORK (100-100000) (P)
SUBJECT: [Illegible]

Re New York letter to Bureau dated 10/1/50.

Re New York letter to Bureau dated 10/1/50.

Re New York letter to Bureau dated 10/1/50.

Enclosed for the Bureau are 10 copies of the following:

1. New York letter to Bureau dated 10/1/50.

2. New York letter to Bureau dated 10/1/50.

3. New York letter to Bureau dated 10/1/50.

4. New York letter to Bureau dated 10/1/50.

5. New York letter to Bureau dated 10/1/50.

6. New York letter to Bureau dated 10/1/50.

7. New York letter to Bureau dated 10/1/50.

8. New York letter to Bureau dated 10/1/50.

9. New York letter to Bureau dated 10/1/50.

10. New York letter to Bureau dated 10/1/50.

Filed Sept 3/402

R.
Cher. D-2902.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 16, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of THOMAS TERRAPIN and others as citizens by blood of the Cherokee Nation.

LEVI GRITTS, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A Levi Gritts.

Q How old are you? A Twenty-eight.

Q What is your post office address? A Tahlequah.

Q You are a recognized citizen by blood of the Cherokee Nation?

A Yes sir.

Q Do you know Thomas Terrapin? A Yes sir.

Q He is a man now about thirty-one years of age? A Yes sir.

Q What is his post office address? A Westville.

Q In what district does he live? A Goingsnake.

Q Is he a Cherokee by blood? A Yes sir.

Q What degree of Cherokee blood has he? A He is recognized as a full blood.

Q Do you know the name of his father? A Carseelowry.

Q Is his father living? A No sir.

Q Was he a Cherokee by blood? A Yes sir.

Q What is the name of the mother of Thomas Terrapin?

A His mother's name was Cynthia, I believe.

Q Is she living? A No sir.

Q Was she a Cherokee by blood? A Yes sir.

Q How long have you known Thomas Terrapin? A I have known him all my life.

Q Do you know how his correct name is spelled? A I don't know.

Q Is his name Terrapin? A Yes sir.

Q Has he lived in the Cherokee Nation continuously during the time you have known him? A Yes sir.

Q Do you know whether he is married or not? A Yes sir, he is married.

Q Do you know the name of his wife? A His wife's name, I believe they call her Jennie in English.

Q She is a woman now about thirty-six years of age? A Yes sir.

Q She is a Cherokee by blood, is she? A Yes sir.

Q Is she a full blood? A Yes sir.

Q Do you know the name of her father? A No sir.

Q Do you know the name of her mother? A No sir.

Q Have Thomas and Jennie Terrapin any children? They had one that I know.

Q Do you remember the name of that child? A Lydia.

Q The child is now about eleven years of age? A Yes sir.

Q Thomas Terrapin is the father and Jennie the mother of that child Lydia? A Yes sir. I heard that child's name, then I heard of a baby. That has been several years ago.

Q Have they a younger child than Lydia? A It has been several years ago. I don't know how many children they have now. I have been riding around them, but I don't know.

Q Did you know the name of the wife of Thomas Terrapin before he married her? A Yes sir.

Q What was it? The first time I knew her she was living with a man named Wolf. They separated, then she married Terrapin.

Q Did you know her name before she married Wolf? A No sir.

Q In what district did she live when she lived with Wolf?

A She lived in Goingsnake.

Q Was Thomas Terrapin the oldest son of Caracolewry Terrapin?

A Yes sir.

Q Did he have a sister? A Yes sir, she is dead.

Q Do you remember her name? A He had a sister, but her mother was a different woman.

1880 authenticated roll of citizens of the Cherokee Nation examined, and applicants identified thereon as follows:

Page 479, #1716, John Tarepen, Goingsnake District, age 10, native Cherokee.

1896 census roll of citizens of the Cherokee Nation examined, and applicants identified thereon as follows:

Page 797, #2132, Thomas Tarepin, Goingsnake District, age 25.

Page 797, #2133, Jennie Tarpin, Goingsnake District, age 30.

Page 797, #2134, Lyda Tarpin, Goingsnake District, age 5.

1894 roll of citizens of the Cherokee Nation examined, and applicants identified thereon as follows:

Page 719, #2208, Thomas Terrapin, Goingsnake District.

Page 719, #2209, Jennie Terrapin, Goingsnake District.

Page 719, #2210, Lydia Terrapin, Goingsnake District.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 1st day of September, 1902.

John P. Ross
Notary Public.

FILED

APR 18-1905

COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE ENROLLMENT FIELD PARTY.
10 MILES WEST OF WESTVILLE, I. T.
MARCH 23, 1905.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of THOMAS TERRAPIN, JENNIE TERRAPIN and LYDIA TERRAPIN, as citizens by blood of the Cherokee Nation.

JENNIE TERRAPIN, being first duly sworn, testified as follows:
through interpreter, JAMES MUSKRAT:

BY THE COMMISSION:

- Q What is your name? A Jennie Terrapin.
Q What is your age? A About 48.
Q What is your post office address? A Westville, I. T.
Q What is the name of your father? A My father is dead, he died in the late war, name is Watt Fisher.
Q What was the name of your mother? A Siney Fisher.
Q Is your mother living? A She is dead, died in the late war.
Q What is the name of your husband? A Thomas Terrapin.
Q How old is your husband, Thomas Terrapin? A He is 32 or 33.
Q What was the name of Thomas Terrapin's father? A Garsolowry Terrapin.
Q What was the name of his mother? A Cynthia Terrapin.
Q Is either his father or mother living? A Both dead.
Q How long have you and Thomas Terrapin been married? A It has either been 15 or 16 years.
Q Were you born in the Cherokee Nation? A Yes sir in Flint District.
Q Was Thomas Terrapin born in the Cherokee Nation? A Yes sir.
Q Have you, either you or Thomas Terrapin ever lived outside of the Cherokee Nation? A No sir we have been living in the Cherokee Nation all our lives.
Q Is Thomas Terrapin living? A Yes sir, and is in the penitentiary.
Q How long has he been in the penitentiary? A Been in prison since the 10th day of November, 1904.
Q How long does he have to serve? A He was sentenced for one year and one day.
Q In what District were you and Thomas Terrapin living in 1896?
A In Goingsnake District.
Q How many children have you and Thomas Terrapin? A Two.
Q What are the names of these children? A The oldest one is named Lydia.
Q How old is Lydia? A 14 going on 15.
Q Is Lydia living? A Yes sir living in Flint District now.
Q With whom is she living in Flint District? A She is living with her ~~father's sister in Flint District~~ half sister.
Q What is her half sister's name with whom she is living? A She married John Still.
Q How long has she been living in Flint District? A She has been ever there a little less than a week.
Q Does she make her home in Flint with her half sister or does she make her home here with you? A She just went over on a visit but her home is here with me.
Q What is the name of your next child? A Charlie.
Q How old is Charlie? A He will be 8 years old this coming April.
Q Is Charlie living? A Yes sir.

- Q How much Cherokee have you and your husband, Thomas Terrapin?
A We are both full bloods.
Q These two children Lydia and Charlie Terrapin, are the children of yourself by your husband, Thomas Terrapin? A Yes sir.
Q Have you ever been married to anybody except Thomas Terrapin?
A Yes sir I have been married twice, my first husband was Fog.
Q Is Fog living or dead? A He is living.
Q Did you have any children by Fog? A Only the one. My first husband was Fog and my second one was named Gayaguay.
Q What is the present name of your child by Fog? A John Still is her husband's name.
Q Did you have any children by your second husband? A Yes sir one.
Q What is her present name? A Her name is Lucy Johnson.
Q What is the name of her husband? A William Johnson.
Q How old is she at present? A About 20 years old.
Q Is she living? A Yes sir.
Q Was she born and reared in the Cherokee Nation? A Yes sir.
Q What is her present post office address? A Westville, I. T.
Q The only children you have by Thomas Terrapin are Lydia and Charlie? A Yes sir they are the only ones.
Q Have you or your husband selected allotments of lands for yourself and children? A No sir.
Q Did you or he ever make application in person to the Dawes Commission for enrollment as citizens of the Cherokee Nation? A No sir never did.
Q Was Charlie Terrapin, your youngest child, born after the making of the 1896 Census Roll? A I don't remember.

The applicants, Thomas Terrapin, Jennie Terrapin, and Lydia Terrapin are identified upon the 1896 Census Roll of the Cherokee Nation, Goingsnake District, Nos. 2132, 2133, and 2134, respectively. Thomas Terrapin is also identified on the 1880 Cherokee Tribal Roll, Goingsnake District as John Terrapin, No. 1716. Charlie Terrapin it appears has been born since the making of the 1896 Census Roll of the Cherokee Nation, his age is given as 8 years, and he is present at the taking of this evidence and looks to be a full blood Cherokee about 7 or 8 years old. The applicant Jennie Terrapin is present in person and testifies.

-----000-----

George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lessley

Subscribed and sworn to before me this April 18, 1900.

Myron White
Notary Public.

CFB
Cherokee D-2902.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Thomas Terrapin, et al., as citizen of the Cherokee Nation.

-: O R D E R :-

The records of the Commission show that at Muskogee, Indian Territory on June 30, 1902, application was made for the enrollment of Thomas Terrapin, his wife, Jennie Terrapin, their families and descendants as citizen of the Cherokee Nation. Testimony taken on March 23, 1905, shows that Charlie Terrapin, minor son of Thomas and Jennie Terrapin was also included in said application. All the applicants herein have been duly listed for enrollment on Cherokee Doubtful card No. 2902 as citizens of the Cherokee Nation.

The records of the Commission further show that all of the applicants herein are full blood Cherokees and have continuously resided in the Cherokee Nation since birth; that the applicant, Thomas Terrapin is identified on the 1880 authenticated tribal roll of the Cherokee Nation; and that all the applicants herein except Charlie Terrapin are identified on the 1896 census roll of said Nation, the said Charlie Terrapin having been born since said roll was completed.

It is, therefore, ordered that the enlistment of Thomas Terrapin, Jennie Terrapin, Lydia Terrapin and Charlie Terrapin, for enrollment as citizens of the Cherokee Nation on Cherokee Doubtful card No. 2902, be cancelled and that said applicants be listed for enrollment as citizens by blood of the Cherokee Nation on a Cherokee straight card.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Dated at Muskogee, Indian Territory,
this APR 21 1905

COPY

Cherokee-10881.

Muskogee, Indian Territory, April 22, 1906.

Commissioner in Charge,

Cherokee Land Office,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of an order of the Commission to the Five Civilized Tribes, dated April 22, 1906, transferring the enrollment of Thomas Terrapin, et al., from Cherokee Enrollment card No. D 2902 to Cherokee straight card No. 10881, together with said transferred Enrollment card No. 10881.

Respectfully,

Incl. 3-39

(SIGNED)

James D. Doby

Chairman.

Cher 10882

Sarah Israel

Trans. from D1231

Cher 10882

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment as
citizens by blood of the Cherokee Nation of:-

SARAH ISRAEL, et al., Cherokee D-1231.

-oOo-

81231

COMMISSION TO THE UNITED STATES

FILED

MAY 22 1902

ACTING CHAIRMAN

THE ORIGINAL RECORDS OF THE COMMISSION TO THE UNITED STATES ARE KEPT IN THE OFFICE OF THE SECRETARY OF THE INTERIOR, WASHINGTON, D. C.

To be filed with Cherokee case-1231.

REJECTED, as to wife.

DOUBTFUL, as to wife's children.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Tahlequah, I. T. , December 12th, 1900.

In the matter of the application of Robert McPherson for the enrollment of himself, wife and children as citizens of the Cherokee Nation; said McPherson being sworn and examined by Commissioner Breckinridge testified as follows:

Give me your full name? A. Robert McPherson.

Q. How old are you? A. 50.

Q. What is your postoffice? A. Braggs Station.

Q. In what district do you live? A. Illinois.

Q. Who is it you want to enroll, yourself and family? A. Yes sir.

Q. Have you a wife? A. Yes sir.

Q. How many children? A. Four.

Q. These children are all under 21 are they? A. Yes.

Q. None of them married? A. No sir.

Q. Are you a Cherokee by blood, full blood aren't you? A. Pretty near it.

Q. Is your wife a Cherokee by blood? A. No sir, a white woman.

Q. Have you lived in the Cherokee Nation all your life? A. Yes sir.

Q. Give me the name of your father? A. Alick McPherson.

Q. Is he dead? A. Yes sir.

Q. Give me the name of your mother? A. Jennie.

Q. Is she dead? A. Yes sir.

Q. Give me the name of your wife? A. Julia.

Q. How old is she? A. About 45.

Q. When did you marry her? A. In '85.

Q. Were you ever married except to her? A. I married once before but she died.

Q. Was this wife ever married except to you? A. Yes.

Q. How many times was she married before she married you? A. I do not know, she had a boy by one of the Becks when I married her.

Q. Was her former husband dead when she married you? A. I do not know, she can answer for herself.

JULIA McPHERSON, being sworn and examined by Commissioner Breckinridge testified as follows:

Q. Give me your full name? A. Julia McPherson.

Q. How old are you? A. About 45.

Q. Are you the wife of Robert McPherson here? A. Yes sir.

Q. When were you married to him? A. I forget.

Q. About how long ago? A. 1885, I believe.

Q. Were you ever married before you married him? A. Yes sir.

Q. To whom were you married? A. I was married to

Q. How many times were you married before you married him? A. Twice.

Q. To whom were you married? A. To Ward and Beck.

Q. What was Ward's full name? A. Vann.

Q. And afterwards married to Beck? A. Dave Beck.

Q. Is Vann Ward dead? A. I couldn't tell you.

Q. Did you ever get a divorce from him? A. No, he took another woman.

Q. And you never got a divorce from him? A. No sir.

Q. And then you married Beck? A. Yes sir.

Q. Is Beck dead? A. I can not tell you, he was not the last account I had of him.

Q. How long did you live with Beck? A. I lived about two years and seven months I guess.

Q. How long did you live with Ward? A. Just seven months.

Q. Who married you to Ward? A. Jeff McGee in Delaware.

Q. He was clerk of the District was not he? A. Yes sir.

Q. Who married you to Beck? A. He lived at Vinita, he was a justice

- Q. You did not get any divorce from Dave Beck? A. No sir.
- Q. And who married you to your present husband McPherson? A. Preacher Dobson, Tahlequah District here.
- Q. Did Dave Beck leave you? A? Yes, sir.
- Q. Or did you leave him? A. Well, he left me? He made the commencing and then I went to my daddy.
- Q. Have you lived with McPherson ever since you married him in 1885? A. Yes sir.
- ROBERT MCPHERSON, the applicant, further testified:
- Q. Give me the names of these children? A. The oldest one is by my first wife, named Willis.
- Q. How old is he? A. He will be 18 the 27th of this month.
- Q. Now the next child? A. Mary.
- Q. By this wife, is she? A. Yes, sir.
- Q. How old is she? A. She is going on 15.
- Q. The next child? A. Jennie.
- Q. How old is she? A. She is 12 going on 13.
- Q. The next child? A. Joanna.
- Q. How old is she? A. She is going on 11.
- Q. These children are all living now are they? A. Yes, sir.
- Q. These last three children are all by this wife? A. Yes, sir, three.
- Q. Are you a full blood Cherokee Cherokee? A. I guess so that is what they call me.
- Com'r:--The applicant files a certificate showing that he and his wife were married on August 2, 1885, by the Rev. Leonidas Dobson, this is placed with the papers in this case.
- 1880 roll, page 558, #1262, Robert McPherson, Illinois.
- Q. What is Willis' mother's name? A. Ailsey Muskrat.
- Q. Is she on the roll of 1880 as Muskrat? A. I do not know whether she is or not.
- Q. You married her after 1880? A. Yes sir.
- Q. What was her name when you married her? A. They called her Ailsey.
- Q. Was she a full blood woman? A. Yes sir.
- Q. She died before you married this woman? A. Yes, she died in Canadian.
- 1896 roll; page 1213, #242, Robert McPherson, Tahlequah.
- Q. Was Vann Ward a Cherokee by blood? A. I think so.
- 1896 roll; page 1286, #190, Julia McPherson, Tahlequah.
- 1896 roll; page 1213, #2246, Willis McPherson, "
- 1896 roll; page 1213, #2243, Mollie McPherson, "
- 1896 roll; page 1213, #2244, Jannie McPherson, "
- 1896 roll; page 1213, #2245, Joanna McPherson, "
- Q. Was Dave Beck a native Cherokee? A. Yes, sir, I think he was.
- Q. How old is Vann Ward now, do you know? A. I do not know.
- Q. Were you acquainted with Dave Beck? A. No, sir.

APPLICANT'S WIFE RECALLED:

- Q. Was your husband Beck a Cherokee by blood? A. Yes sir.
- Q. Was your husband Ward a Cherokee by blood? A. Yes sir.
- Q. When did you marry Ward? A. I could not tell you.
- Q. Was Ward ever married before he married you? A. I do not think he was.
- Q. He was your first husband was he? A. Yes, Ward.
- Q. Is anybody living that knows that you and Ward were living together as husband and wife? A. Yes, sir, Mrs. John Gladley, about eight miles out here.
- Q. Does anybody know that you and Beck lived together as husband and wife? A. She does too.
- Q. How old would this man Ward be now if he were living? A. He is pretty old if he was living he would be 69 or close to 70.
- Q. Did he have any middle name? A. Not that I knew of.
- 1880 roll; page 334, #2843, Vann V. Ward Delaware.

Q. How old would Beck be now if he were living? A. I think he was somewhere in 30 when me and him was married.
Q. Did he have an "M" in his name, Dave M. Beck? A. I think he did.
Q. You have got a child named G. W. Beck? A. Yes sir.
Q. Were you living with Beck in 1880, 20 years ago? A. No sir, I don't guess I was.
Q. This child G. W. Beck, is not identified on the roll of 1880?
A. No, I was at my father's when that roll was made.
Q. What name did you go by 20 years ago? A. Beck.

Com'r Breckinridge:-- The applicant applied for the enrollment of himself, his wife and four children. He is identified on the rolls of 1880 and 1896 as a native Cherokee. He has lived in the Cherokee Nation all his life and will be listed for enrollment as a Cherokee by blood.

His wife is a white woman. She states that she was twice formerly married before she married her present husband in 1885. The present marriage in 1885 is established by the certificate filed herewith, but the applicant's wife never procured a divorce from either of her husbands, who for all she is able to state, are living at this time. She is not considered, therefore, as qualified to have married her present husband and though she is identified on the roll of 1880 as having been married with her present husband ever since she married him, the application for the enrollment is rejected, she being classed as a Cherokee by adoption.

The applicant's oldest child, Willis McPherson, he states is by his first wife, who was a Cherokee woman. The child is identified on the roll of 1896. His mother is said to have been a full blood and the applicant does not know what her name was when he married her. He married her after the roll of 1880 was made and she died shortly after their marriage. She can not be identified but no doubt is entertained from the personal testimony that she was a Cherokee woman, and this child, Willis McPherson, will now be listed for enrollment as a Cherokee by blood.

As for the said children, Mary Jennie, and Joanna McPherson, of the present marriage; they are minors and are living. They are identified on the roll of 1896, and they will be listed for enrollment as Cherokees by blood, on a doubtful card, for the further consideration of their status, in this connection attention is especially called to Section 693 of the 1893 compilation of the laws of the Cherokee Nation.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Rosson.

Subscribed and sworn to before me this 14th day of December, 1900.

(Signed) T. B. Needles,
Commissioner.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

(Signed) Arthur G. Croninger.

Subscribed and sworn to before me this 7th day of November, 1901.

(Signed) T. B. Needles.

I, Frances S. Rotefuhr as stenographer to the Commission to the Five Civilized Tribes do solemnly swear that the above and foregoing is a true and complete copy of a copy made by Arthur G. Croninger of the original transcript.

Subscribed and sworn to before me this

10 day of May, 1902.

J. R. Renter
Notary Public.

File with Cherokee D 1231, Sarah Israel et al.

Cherokees by blood.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I. T., April 24, 1901.

In the matter of the application of John Israel for the enrollment of himself and child as Cherokees by blood.

John Israel, being duly sworn and examined by Commissioner Needles, testified as follows:

- Q What is your name? A John Israel.
Q What is your age? A 27.
Q What is your post-office? A Braggs.
Q What district do you live in? A Illinois.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q Who do you want to enroll besides yourself? A Me and two children.
Q What are the names of your children? A Phillip.
Q How old is Phillip? A 10.
Q The name of the next one? A Mary.
Q How old is Mary? A She is 7.
Q Are you married? A No sir.
Q Were you ever married? A Yes, sir.
Q What is the name of the mother of these children? A Sarah.
Q Is she living? A Yes, sir.
Q What was her name before you married her? A Ward.
Q Is she a Cherokee by blood? A Yes, sir.
Q About how old is she now? A I can't tell you, maybe about 25 or 26.
Q You and her are not living together now? A No, sir.
Q What was her father's name? A Dan Ward.
Q Is he living? A I don't know whether he is or not.
Q What is her mother's name? A Judy McPherson.
Q Is she living? A Yes, sir.
The 1890 authenticated roll of Cherokee citizens examined and the applicant John Israel identified thereon, page 639, No. 544, Saline district.
The 1890 census roll of Cherokee citizens examined and the applicants identified thereon as follows:
John Israel on page 870, No. 968, Illinois District, as John Israel;
Phillip Israel on page 870, No. 969, Illinois District, as Phillip Israel;
Mary Israel on page 870, No. 970, Illinois District, as Nellie Israel.
Q Is Nellie or Mary her name? A Her Cherokee name is Nellie, Mary is her English name.
Q Do you know whether your wife Sarah is on the roll of 1890 or not? A No, sir.
Q Were you married to Sarah Ward? A Yes, sir.
Q Lived with her as your wife? A Yes, sir.
Q Anybody here knows you and knows that you lived with her as your wife? A Yes, sir, my brother is here.

George Beck, being duly sworn and examined by Commissioner Needles, testified as follows:

- Q What is your name? A George Beck.
Q How old are you? A Going on 24.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know John Israel? A Yes, sir.
Q Know his two children, Phillip and Mary? A Yes, sir.
Q Do you know Sarah Ward? A Yes, sir.
Q Was she John Israel's wife? A Yes, sir.
Q Were they married? A Yes, sir.

John Israel 2.

Q How do you know? A They were married in the Cherokee Nation.

Q Did you see they married? A No, sir, but they went to get married.

Q Do you know they lived together as man and wife for a number of years? A Yes, sir.

Q And these two children were born while they were living together as man and wife? A I can't say whether they were or not.

Q How long since John Israel and Sarah his wife separated? A I can't state exactly.

Q Do you know they lived together as man and wife? A Yes, sir.

Q Do you know how long they lived together? A 11 or 12 years I think, somewhere along there.

John Israel, recalled, testified.

Q Are these children alive at this time Mr. Israel? A Yes, sir.

Q Living with you? A Yes, sir, I have them in charge.

Commissioner Needles: The name of John Israel is found upon the authenticated roll of 1880 as well as the census roll of 1896. He applies for the enrollment of himself and two children, Phillip and Mary, and the name of Phillip appears upon the census roll of 1896, and the name of Mary is found upon the census roll of 1896 as Nellie, but is duly identified as Mary, the child applied for. The applicant avers that he was married to one Sarah Ward, who is the mother of the said children, but her name cannot be found upon the authenticated roll of 1880 or the census roll of 1896. Satisfactory proof however, is made as to their marriage, and also satisfactory proof as to their citizenship and residence; consequently John Israel and his two children, Phillip and Mary, will be listed for enrollment as Cherokee citizens by blood.

--- *** ---

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

(signed) Bruce C. Jones.

Sworn to and subscribed before me this the 25th of April, 1901.

(signed) T. B. Needles,
Commissioner.

--- *** ---

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy and that same is a true and complete copy of the original transcript

M. D. Green

Subscribed and sworn to before me this October 29, 1901.

T. B. Needles

Commissioner.

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Ch. 10882

1925

to understand the importance of the notes and to be able to use them in the future. The notes are to be used as a guide to the study of the subject and not as a substitute for the text. The notes are to be used as a guide to the study of the subject and not as a substitute for the text. The notes are to be used as a guide to the study of the subject and not as a substitute for the text.

THE UNIVERSITY OF CHICAGO

U. S. DEPARTMENT OF AGRICULTURE

DEPARTMENT OF THE INTERIOR
MISSION TO THE FIVE CIVILIZED

FILED

5 1901

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., Sept. 26, 1901.

In the matter of the application of Sarah Israel for the enrollment of herself and one child as Cherokee Indian citizens by blood; being sworn and examined by Commissioner Needles, she testified as follows:

- Q What is your name? A Sarah Israel.
Q That your name now? A Yes sir.
Q How old are you? A 22.
Q What is your post-office address? A Fort Gibson.
Q What district do you live in? A Illinois.
Q You apply to be enrolled as a Cherokee citizen by blood? A Yes sir.
Q Who do you want to enroll besides yourself? A My baby.
Q What is your baby's name? A Loyd Israel.
Q How old is he? A 6 weeks old.
Q Are you married? A Yes sir.
Q What is your husband's name? A John Israel.
Q Is he a citizen? A Yes sir.
Q Has he applied to be enrolled himself? A Yes sir.
Q Why didn't he apply for you? A He said I was large enough to enroll myself.
Q Are you and he living together? A Yes sir.
Q What is your father's name? A Vann Ward.
Q Is he living? A Yes sir.
Q Is he an Indian? A Yes sir.
Q What is your mother's name? A Julia McPhearson.
Q Is that her name now? A Yes sir.
Q Is she an Indian? A No sir.
Q She is a white woman? A Yes sir.
Q Is she married now? A Yes sir.
Q Who to? A Robert McPhearson.
Q She has been married twice then? A Yes sir.
Q Was her former husband named Ward? A Yes sir.
Q Where were you born? A In Delaware.
Q District? A Yes sir.
Q You always lived in the Cherokee Nation? A Yes sir.
Q Is your name on any of the rolls of the Cherokee Nation? A Yes sir, I guess it is.
Q On the 1880 roll? A I guess it is.
Q Was Ward your maiden name? A Yes sir.
Q That was the name you were married by? A Yes sir.
Q Have you been married more than once? A No sir.
BY W.W. HASTINGS, Cherokee Representative:
Q Was your father and mother ever married? A Yes sir.
BY COM'R NEEDLES:
Q Have you any other name besides Sarah? A No sir.
Q No middle name? A No sir.
Q What is your husband's name? A John Israel.
Q You say he has been enrolled? A Yes sir, he enrolled for himself and two of the children.
Q Is he an Indian? A Yes sir.
Q He enrolled for himself and two of your children? A Yes sir.
Q Was this child born then? A No sir.
Q He enroll for you? A No sir.
Q What are the two children's names? A Nellie and Philip Israel.
Q What is the eldest one named? A Nellie.
Q He has enrolled two, one of them is named Mary? A Well it is Mary too, I didn't know how he give it, Mary or Nellie.
Q You and your husband are not living together? A Not now.
Q That's what I asked you while ago and you said you were; you ought to tell the truth about these things when these questions are asked you if you want to get on the roll? A I misunderstood you.
Q He swears he is not living with you? A (No reply.)

Sarah Israel et al 2

Q You say your father was named Vann Ward? A Yes sir.

Q And your mother named Julia? A Yes sir.

Q Your mother was a white woman and your father an Indian? A Yessir

Q Is your father dead? A No sir.

BY MR. HASTINGS:

Q How old is this child? A 6 weeks old Tuesday.

Q How long have you and your husband been separated? A About 4 years.

BY COM'R NEEDLES:

Q Your father never had a wife named Vary? A Not that I know of.

HASTINGS:

Q Is your mother living now? A Yes sir.

Q John ever have a white wife named Louisa? A No sir, not that I know of.

Q Were you ever called Louis? A No sir, if he ever had another wife it is more than I know.

Q Did you draw what is known as the S trip money, do you know? A Yes sir.

Q You drew that before you married? A No sir, I was married.

1880 authenticated roll of citizens of the Cherokee Nation
1896 census roll of citizens of the Cherokee Nation both examined for applicant and name not found.

1894 pay roll of citizens of the Cherokee Nation examined and applicant identified the record as follows:
page 787 #906 Sarah Israel, Illinois District.

Q Have you proof of your marriage to John Israel? A No sir, I have got witnesses.

Q You don't pretend that this child is John Israel's child? Yes sir, it is.

Q And you have been parted with him for the last six years? A Yes sir.

Q You have had a divorce? A No sir.

Q But you haven't lived together for the last six years? A Yes sir we have lived together all the time; part of the time, he is gone and part of the time he is with me.

Q Comes around occasionally? A Yes sir, runs around.

BY MR. HASTINGS:

Q Where were you living when you were first old enough to remember six or eight years old? A I don't recollect; first place I remember living was in the Nation.

Q Well where? A Up there in Delaware District.

Q Near what town? A Southwest City.

Q How far from Southwest? A About 5 miles.

Q Who were you living with? A Living with my pa.

Q Where was your mother? A She was there.

Q Where was she then? A She was to her pa's.

Q They weren't living together as husband and wife? A No sir.

Q And they never were married, as a matter of fact? A My pa and ma?

Q Yes? A Yes sir.

Q Your father was living with another woman named Mary wasn't he?

A I don't recollect him ever having another one.

Q You never heard of it? A No sir, I never heard of it.

Q How long did you live up there? A I don't recollect.

Q You don't remember ever living there do you? A No I don't remember ever living there after Mama left him.

Q Well you have just now contradicted your self, because you said you was living over there and she was living over at her pa's?

A (No reply.)

Q After you got big enough to remember who were you living with?

A When I can remember I was with my grandparents.

Q What was his name? A Richard Furrow.

Q Where does he live? A In Missouri.

Q What town in Missouri? A About 4 miles from Purdy.

Sarah Israel et al 3

Q How old were you when you left Purdy, Missouri? A I don't remember how old I was.

Q Well about how old? A I just can't tell you.

Q ~~Yannox~~ Well were you grown? A No sir.

Q You think you were as much as 15 years old? A No sir, I don't think I was.

Q Your best judgment now? A About 13.

Q Then where did you go? A Come to the nation.

Q What part? A Up here towards Tahlequah, about 7 miles this side.

Q Who did you live with up there? A My uncle.

Q What was his name? A J. Jeffrey.

BY COM'R NEEDLES:

Q Have you got any witnesses here who know about your citizenship?

A No sir.

BY MR. HASTINGS:

Q Where were you married to this man Israel? A Close to Eureka School House.

Q Who married you? A Parson Dobson.

Q You ever been married before? A No sir.

Q You ever married since? A No sir.

BY COM'R NEEDLES:

Q How long was it you said since you and your husband separated?

A Been about 4 years ago.

Com'r Needles: Sarah Israel applies for the enrollment of herself and her child, Loyd. She avers that she is a Cherokee by blood. Her father was one Vann Ward and her mother Julia Ward, now Julia McPhearson. She cannot be identified upon any of the rolls of the Cherokee Nation except the 1896 pay roll. She is duly identified according to page and number of said rolls indicated in the testimony. She avers that she ~~is~~ was married to John Israel, who is duly listed for enrollment as a Cherokee by blood on card 7,464, and reference is made to the testimony taken in the matter of the enrollment of the said John Israel. It appears from said testimony that said John Israel did not apply for the enrollment of his wife, stating in his testimony that he was separated from her. From the testimony of John Israel satisfactory proof is made as to the marriage, either legal or common law, between the said John Israel and his said wife, Sarah, the applicant. No proof whatever is adduced as to the citizenship of the said Sarah Israel, and neither he nor her father nor mother can be identified upon the authenticated roll of 1880. The applicant avers that she has one child, Loyd Israel, 6 weeks old, and she avers that said Loyd is a child of said John, her husband although she avers in her testimony that they have been separated, but no divorce has ever been procured. She still considers herself the wife of John Israel. No proof is made as to the birth of said Loyd Israel, and it will be necessary for application to make satisfactory proof as to the birth of said child. From the facts stated in the testimony the said Sarah Israel and her child Loyd will now be listed for enrollment as Cherokees upon a doubtful card, awaiting further consideration of the Commission. When the Commission considers said case it will be necessary to enter into the consideration of the testimony of John Israel in the matter of his application.

M.D. Green, being first duly sworn, states that as stenographer to the

Sarah Israel et al 4

Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M. D. Green

Subscribed and sworn to before me this October 2nd, 1901.

C. R. Anderson

Commissioner.

ser. 10882

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 26 1901

[Signature]
ACTING CHIEF

CHEROKEES BY BLOOD AND ADOPTION.

Date Sept. 26 1904.

Name

Fort Gibson, A. T.

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

1. Wife's name

22 Sarah Israel

District

Illinois

Year 1894

Page 787

No. 906

Citizen by blood

yes

Mother's citizenship

Nan Ward living Indian.

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

2 Lloyd Israel

| Dist. | Year | Page | No. | Age |
|-------|------|------|-----|-----|
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
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| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |

under 6

Application by

Stenographer, M. D. Green

No 1. on 1894 Roll as Sarah Israel

7 Ref 7464.

No 2. Birth cert. required.

A 1231

1125

IN RE

Application for Enrollment of

INFANT CHILD

Louis J. ...
is citizen of

Nation

Approved, ...

[Signature]
1901

DEPARTMENT OF ...
COMMISSIONER TO THE FIVE ...

FILED
NOV 7 1901

[Signature]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application of *Lloyd S. Jones* for citizenship of the *Cherokee* Nation,
of *Lloyd S. Jones*, born on the *17th* day of *October*, 18*91*.
Name of Father: *Lloyd S. Jones*, citizen of the *Cherokee* Nation.
Name of Mother: *Sarah X. Jones*, citizen of the *Cherokee* Nation.
Post-office: *Cherokee, Indian Territory*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

INDIAN TERRITORY

District: *Cherokee*

I, *Sarah X. Jones*, on oath state that I am *34*
years of age and a citizen, by *birth*, of the *Cherokee* Nation;
that I am the lawful wife of *Lloyd S. Jones*, who is a citizen, by
birth, of the *Cherokee* Nation, that a *male* child was
born to me on the *17th* day of *October*, 18*91*, that said child has been
named *Lloyd S. Jones*, and is now living.

WITNESSED TO MARK

(Must be Two
Witnesses)Subscribed and sworn to before me this *23rd* day of *October*, 1901.

James O. Jones Notary Public
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

INDIAN TERRITORY

District: *Cherokee*

I, *Dr. J. M. Miller*, on oath state that I
attended on Mrs. *Sarah X. Jones*, wife of *Lloyd S. Jones*,
on the *17th* day of *October*, 18*91*; that there was born to her on
said date a *male* child, that said child is now living and is said to have been
named *Lloyd S. Jones*.

WITNESSED TO MARK

(Must be Two
Witnesses)Subscribed and sworn to before me this *23rd* day of *October*, 1901.

James O. Jones
My Commission expires *23rd* day of *October*, 1901

File with case C. D. #1231.

Supl.-C.D.#1185.

**SUPPLEMENTAL DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MESKOGEE?, I.T., MARCH 21, 1902.**

SUPPLEMENTAL in the matter of the enrollment of GEORGE BECK
as a citizen of the Cherokee Nation:

. . . :

Commission: It is directed that a copy of the testimony
had in Cherokee Rejected case, R.485, be filed with and made a
part of the record in the case at bar, and likewise in the
case Cherokee doubtful #1231.

.

I, J. O. Rossen, do hereby certify that as stenographer to the
Commission to the Five Civilized Tribes I correctly ~~transcribed the~~
copied the above part of the testimony as appears in the supplemen-
tal proceedings had in the matter of the enrollment of George Beck,
and that the foregoing is a true and correct copy of the same.

J. O. Rossen

00121

Chicago, Ill. - A report of a woman who was present
at the trial of the man who was shot in the back
of the head by a police officer in Chicago, Ill.
last night, has been received by the police.

Evidence from the trial of the man who was shot in the back
of the head by a police officer in Chicago, Ill. last night,
has been received by the police. The man was shot in the back
of the head by a police officer in Chicago, Ill. last night.
The man was shot in the back of the head by a police officer
in Chicago, Ill. last night. The man was shot in the back of
the head by a police officer in Chicago, Ill. last night.

Chicago, Ill. - A report of a woman who was present
at the trial of the man who was shot in the back
of the head by a police officer in Chicago, Ill.
last night, has been received by the police.

Supl.-C.D.#1231.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 22, 1902.

SUPPLEMENTAL in the matter of the enrollment of SARAH ISRAEL
as a citizen of the Cherokee Nation;

The applicant was notified by registered letter March 3, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 22d day of March, 1902, and that on said date she might appear before the Commission either in person or by attorney when an opportunity would be given her to introduce any further testimony affecting her applicant. The applicant has this day, to-wit: the 22 day of March, 1902, been called and failing to respond either in person or by attorney the case is deemed completed and the same will be reported to the Commission for final decision based upon the evidence now of record.

---oooOooOoo---

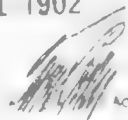
I, J. O. Rosson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson

7 1921

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 31 1902


ACTING CHAIRMAN

File with case of Sarah Israel, C. D. #1231.

Supl.-C. #7464.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 22, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of
JOHN ISRAEL, ET AL., as citizens of the Cherokee Nation, intro-
duced on part of the Cherokee Nation:

JOHN ISRAEL, being duly sworn, testified as follows:
MR. HASTINGS, Cherokee Representative:

- Q What is your name? A John Israel.
- Q What is your age? A About 28.
- Q What is your post office? A Braggs.
- Q Did you ever marry Sarah Israel? A Yes, sir.
- Q About how long ago? A Oh, it has been ten or 11 years ago.
- Q How long did you live with her? A You mean at home?
- Q Yes. A About, ohk I could not tell you how long it was.
- Q Well, about how long? A Well, maybe about a year.
- Q Then did you separate? A Yes, sir.
- Q Have you ever lived with her since as husband and wife?
- A Well, while at a time.
- Q Up until when? A Well, maybe seven or eight years ago up until that time.
- Q She has a child when she applied to the Dawes Commission on September last, last September she had a child then six weeks old that she called Loyd, she tell that was your child; have you lived with her as husband and wife for the last three years? A No, sir.
- Q You swear that? A Yes, sir; and can prove it.
- Q Do you know whether she has had a child since this child was born? A If she has I didn't know it.
- Q Well, do you know this child not to be your child?
- A Yes, sir; I think I do.
- Q You know whether you have lived with this woman for the last three years or not? A Well, I haven't.
- Q And you swear that? A Yes, sir; she has got two.
- Q She has got two that are not yours? A Yes, sir.
- Q What is the name of the other one? A Let's see what she does call it -- Mary I believe.
- Q She has had them two since you separated? A We had two.
- Q Well, you have enrolled Mary? A That is ours; I have got the two that I enrolled.
- Q Phillip and Mary? A Yes, sir.
- Q What is the two? A I don't know anything about the other two.
- Q Was she got two besides Phillip and Mary? A Yes, sir.
- Q And they are not your children? A No, sir; the two I got she said they were mine and I took them.
- Q They were born while you lived together? A Yes, sir.
- Q And these others were born since and not your children?
- A No, sir, she always said the oldest one was Beaty's.
- Q ~~But~~ Who was the older, Mary or Loyd? A Loyd.
- Q Do you know who she claims this last child, who was the father of it? A Bracket.
- Q She didn't claim it to be yours? A I never heard her.
- Q Were you ever married before you married this woman?
- A No, sir.
- Q Was she? A No, sir.
- Q Has she been married since you separated? A Not lawfully.
- Q Well, has she been living with anybody around over the country?
- Q Yes, I guess she has; she has got children, bound to be.

-2-

Commission: It is directed that a copy of this testimony be filed with and made part of the record in the case of Sarah Israel, Cherokee card No. D.1231.

---ooo000ooo---

I, J. O. Rosson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings this day had in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J O Rosson

1231

Cherokee - D-1547.

Given with the ... of June 1885.

RECEIVED
JUN 20 1902

ACTING CHIEF
SPECIAL AGENT

in the ...
one ... and ...
evidence of ...
Records of this office and ...
this is to certify that I have carefully examined the ...

...
...
...

Executive Department, Cherokee Nation.

Tahlequah, Indian Territory.

This is to certify that I have carefully examined the Marriage Records of this office and am unable to find in them any evidence of marriage or the issuance of a marriage license to one Vann Ward to marry Julia Farris, said records being now in my custody.

Given this the 23d. day of June 1902.

J. T. Parks
Executive Secretary.

Cherokee - D- 1231.

10

— — — — —

The evidence in this case is that Sara Israel, who is identified upon the 1894 Cherokee Strip Payment Roll, is the daughter of Julia C. Pearson, a white woman, and Mann Ward, a Cherokee Indian, whose name appears upon the 1894 authenticated Cherokee Tribal Roll. The minor applicant, Lloyd Israel, is the son of the said Sara Israel, and having been born subsequent to the preparation of the last Tribal Roll, is entitled to proper proof of birth filed here-

[illegible]

C.R.B.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
CHEROKEE LAND OFFICE.

July 12, 1906.

Cherokee -----32570.

-0-

In the matter of the application of Sarah Brackett, enrolled as Sarah Isreal, to select her allotment and designate her homestead in the Cherokee Nation.

Sarah Brackett, being first duly sworn by B.P. Rasmus, a notary public, was examined on behalf of the Commissioner and testified as follows:

- Q What is your name?
A Sarah Brackett.
Q What is your age?
A 27.
Q What is your post office address?
A Fort Gibson, Indian Territory.
Q What was your former husband's name?
A John Isreal.
Q Were you ever divorced from John Isreal?
A No, sir, we were married under the Cherokee Law.
Q You were never divorced?
A No, sir.
Q Who did you marry after you left John Isreal?
A Bernie R. Hale.
Q When did you marry Bernie R. Hale?
A It has been about 4 years.
Q Is he a citizen of the Cherokee Nation?
A No, sir.
Q Is he living at the present time?
A No, sir, he is dead.
Q When did you marry Mr. Brackett?
A In April, 1906.
Q What are the initials of Mr. Brackett?
A J. M.
Q Is he a citizen of the Cherokee Nation?
A No, sir.
Q Intermarried white citizen?
A Yes, sir.
Q Are you and he living together at the present time?
A Yes, sir.
Q Have you land which you desire to select as your allotment?
A No, sir.
Q When do you expect to get land to file on?
A I don't know how long it will be?

Witness Excused.

I, George A. Lowell, state under oath, that as stenographer to the Commissioner to the Five Civilized Tribes, I recorded the testimony in the above entitled proceeding and that the foregoing is a true and correct transcript of my stenographic notes thereof.

Subscribed and sworn to before me this
12th day of July, 1906.

George A. Lowell

John Isreal

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DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, November 7th, 1901.

To Mr. John Israel,

Ft. Gibson, Indian Territory.

Receipt is hereby acknowledged of birth certificate in the matter of the application for enrollment of Loyd Israel, the son
of John Israel and Sarah Israel
as a citizen of the Cherokee Nation, and the same has been duly filed.

Very respectfully,



Acting Chairman.

HENRY L. JAMES
TAMM HARRY
THOMAS B. NEEDHAM
S. BRECKINRIDGE

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cherokee D-1231

A. J. JONES, CLERK

Muskogee, Indian Territory,

March 3,

1902.

Mrs. Sarah Israel,

Fort Gibson, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and one minor child

for enrollment as citizen^s of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 22, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with your certificate of marriage to your husband John Israel.

Register.

Yours truly,



ASBURY CHAIRMAN.

Commissioner in Charge/

Cherokee D 1231

Muskogee, Ind. Ter., June 13, 1908.

Mr. J. T. Parks,

Executive Secretary Cherokee Nation,

Tahlequah, Ind. Ter.

Sir:

In the matter of the application of Sarah Israel, for enrollment of herself and child as citizens of the Cherokee Nation, you are hereby requested to furnish this Commission with a certified copy of marriage license and certificate of marriage of one Vann Ward to Julia Farris, which is supposed to have been solemnized by Jeff McGee, Clerk of the Delaware District, sometime before May, 1878.

Yours truly,

Commissioner in Charge

Cherokee D 1231.

Muskogee, Indian Territory, September 11, 1902.

John O. Rosson,

Tahlequah, Indian Territory.

Dear Sir:

It appears from the records of the Commission that Sarah Israel has made application for the enrollment of herself and her son, Loyd Israel, as citizens by blood of the Cherokee Nation. Applicant stated, when she appeared before the Commission, that her postoffice address was Fort Gibson, Indian Territory, but letters addressed to her at that place have been returned unclaimed.

The Commission desires proof as to the marriage of the applicant's parents, Van Ward and Julia McPherson; also, evidence which will enable it to identify the said Sarah Israel on the tribal rolls of the Cherokee Nation other than that of 1894.

Please use every endeavor to ascertain the whereabouts of the said Sarah Israel, and to procure the evidence above indicated.

Yours truly,

Acting Chairman.

INDEXED.

| COMMISSION TO FIVE TRIBES. | | | |
|----------------------------|-------------|----------|------|
| No. | Received | ANSWERED | |
| 16267 | | Book | Page |
| 1902 | SEP 29 1902 | | |

Rosson, John O.,
Tallequah, I. T.,
Sept. 26, 1902.

-----0-----

Relative to one Sarah
Israel now the wife of Burney
Hall, or Hale.

HENRY DAVIS
TAMM
THOMAS
C. R. H.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

100-100000

4-100-100000

Tahlequah, Indian Territory, September 26, 1902.

The Commission,

To the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Relative to the matter of the enrollment of Sarah Israel and her son, Loyd Israel, as citizens by blood of the Cherokee Nation and whose whereabouts are unknown to the Commission, this Party has information that the said Sarah Israel has married since the date of her application for enrollment to a white man and non-citizen named Burney Hall, or Hale, and that her present post office address is Muskogee, Indian Territory. The information is that she married sometime in July, 1902.

Respectfully,

John H. Carson
Clerk in Charge,
Special Cherokee Enrolling Party.

Cherokee D-1231

Muskogee, Indian Territory, October 4, 1902.

Sarah Hail,

In care of Burney Hail,

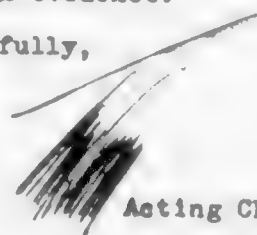
Muskogee, Indian Territory.

Madam: -

You are hereby notified that it will be necessary, before the Commission can determine the right of yourself and your son, Lloyd Israel, to be enrolled as citizens of the Cherokee Nation, that you introduce proof as to the marriage of your parents, Van Ward and Julia McPherson; also evidence, showing your enrollment by the tribal authorities of the Cherokee Nation.

You will be allowed ten days from the date of this notice, in which to appear before the Commission at its offices at Muskogee, Indian Territory and present such evidence.

Respectfully,



Acting Chairman.

COPY

Cherokee D-1231.

Muskogee, Indian Territory, March 30, 1905.

V. V. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 30, 1905, granting the application for the enrollment of Sarah and Lloyd Israel as citizens by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicants. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

SIGNED *Samuel D. Dixey*
Chairman.

Incl. S-13.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER TO FILE IN THE FOLLOWING:
Cherokee D-1231.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 1, 1905.

Sarah Israel,

Briggs, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 30, 1905, granting the application for the enrollment of yourself and your minor child, Loyd Israel, as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. 3-6

Chairman.



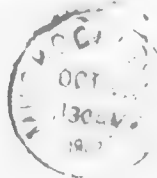
Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, \$300.



Varah Kail
Muskogee

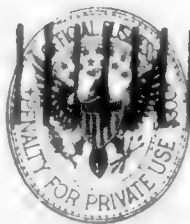
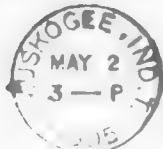


Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOCOE, IND. TER.

UNCLAIMED.





Department of the Interior

Commission to the Five Civilized Tribes.

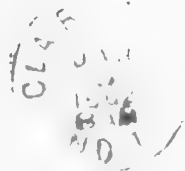
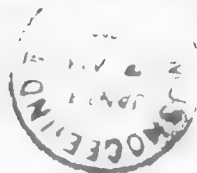
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



3250



Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, INDIAN.

OFFICIAL BUSINESS

Penalty for private use, \$100.

UNCLAIMED

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Cher 10883

Tom Vann

Trans. from D3149

Cher 10883

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment
as a citizen by blood of the Cherokee Nation of:

Tom Vann ----- Cherokee-D-3149.

-----000-----

R
Chas. D 3149

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BOWEN, ET AL.,
for enrollment as citizens of the Cherokee Nation.

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Tom Vann #3526 Tahlequah District.

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1896
Cherokee roll, their families and their descendants:

H. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled case, and that
the foregoing is an accurate statement of the same.

Witness my hand and seal to the foregoing at Muskogee, I. T., this 30th day of June, 1902.

H. C. Bagwell
Stenographer

RECEIVED
DEC 2 1904
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.

Tahlequah, I. T., December 15, 1904.

In the matter of the application for the enrollment of Tom Vann as a citizen by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

TOM VANN, being duly sworn and examined by the Commission, testified as follows:

- Q What is your name? A Tom Vann.
Q How old are you? A About 24.
Q What is your postoffice? A Peggs.
Q In what district do you live? A Saline.
Q Are you a Cherokee by blood? A Yes sir.
Q Are you a full blood? A Yes sir.
Q What is the name of your father? A Skillie.
Q Is he living? A Yes sir.
Q What is the name of your mother? A Chokohy.
Q Is she living? A No sir, she is dead.
Q Have you always been recognized as a citizen by blood of the Cherokee Nation? A Yes sir.
Q Did you ever make your home outside of the Cherokee Nation? A No.
Q Were your mother and father married? (No response)
Q They just lived together under the Cherokee custom? A Yes sir.
Q Did you ever live with your father? A No sir.
Q Did he always recognize you as his son? A Yes sir.
Q Do you know what your mother's name was at about the time you were born? (No response).
Q Was your mother at one time the wife of Dave Vann? A Yes sir.

The applicant is identified upon the 1896 census roll of citizens of the Cherokee Nation, page 1261, No. 3520, Saline District, a native Cherokee, 16 years of age; note: "Step-son of David Vann".

- Q Do you know by what name your mother could have been placed on the roll of 1880? A No sir.
Q Is she a full blood Cherokee? A Yes sir.
Q Was she always recognized as a citizen by blood of the Cherokee Nation? A Yes sir.

JOK KINGFISHER, being duly sworn and examined by the Commission, testified as follows:

- Q What is your name? A Joe Kingfisher.
Q How old are you? A 36.
Q What is your postoffice? A Peggs.
Q Are you a full blood Cherokee? A Yes sir.
Q Do you know the applicant, Tom Vann? A Yes sir.
Q Has he always been recognized as a citizen by blood of the Cherokee Nation? A Yes sir.
Q Do you know his mother? A Yes sir.

- Q Do you know by what name she could have been placed upon the roll of 1880? A No sir.
- Q Was she at one time the wife of one Kingfisher? A Yes sir.
- Q Do you know in what district she was living in 1880? A Saline.
- Q What was the name of her husband--Kingfisher? A John Kingfisher.
- Q Was he related to you? A My grandfather.
- Q Have you a brother or half brother named John Kingfisher? A Yes sir, a half brother.
- Q How long has your grandfather been dead.? A About 5 or 6 years.
- Q This boy's mother was at one time the wife of your grandfather? A Yes sir, her first husband was Kingfisher and second was Vann.
- Q Your half brother, John Vann-- is his mother the same as this boy's mother? A His proper name is Levi, but he was enrolled as John Kingfisher.
- Q The father of John was named Kingfisher and they put the child down as Kingfisher? A Yes sir.
- Q Is John, the half brother, about 34 or 35 years of age now? A Yes.
- Q About how old was this boy's mother when she died? A About 44 or 45 years.

There appears upon a copy of the 1880 authenticated roll of citizens of the Cherokee Nation, which copy was formerly in the possession of the representatives of the Cherokee Nation, opposite No. 622, Cullie-lah-he Kingfisher. The given name of this person has been corrected in red ink to Chlie-lah-he.

Appearing next to this person is John Kingfisher, a native Cherokee, 11 years of age. The 1880 authenticated roll should be examined further to ascertain whether the person appearing upon this copy of said roll opposite No. 622, is the mother of the applicant. It is also probable that the John Kingfisher, heretofore referred to is a half brother of the witness, Joe Kingfisher.

- Q Has this applicant always been recognized as a son of Skillie Vann? A Yes sir.
- Q Was the mother always recognized as a citizen by blood of the Cherokee Nation? A Yes sir.

PRICE COCHRAN, being duly sworn and examined by the Commission, testified as follows:

- Q State your name? A Price Cochran.
- Q How old are you? A 62.
- Q What is your postoffice? A Tahlequah.
- Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
- Q You have just interpreted between the Commission and the applicant, and the witness, ~~Sam~~ Joe Kingfisher? A Yes sir.
- Q You have heard their statements in regard to the applicant's citizenship in the Cherokee Nation? A Yes sir.
- Q Do you know by what name the mother of the applicant could have placed upon the roll of 1880? A No sir, I could not tell.
- Q Do you ~~know~~ think her name is probably on there? A Yes sir.
- Q She always went by her Cherokee name? A Yes sir.
- Q Was she always recognized as a citizen of the Cherokee Nation? A Yes sir.
- Q Have the rights of the applicant to enrollment ever been questioned? A No sir.
- Q Do you know his father? A Yes sir.

- / Q Do you know whether he has always ~~been~~ recognized the applicant as his son? A Yes sir.
Q He has? A Yes sir.

Clinton W. Myers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the supplemental testimony in this case and that the foregoing is a true and complete transcript of his stenographic notes taken therein.

Clinton W. Myers.

Subscribed and sworn to before me this 15 day of December, 1904.

J. H. Green
Notary Public.

[Handwritten signature]
1904

Cherokee-P-3149.

MAJOR FREDERICK H. HARRISON,
SPECIAL AGENT IN CHARGE, BUREAU OF INDIAN AFFAIRS.

In the matter of the application for the enrollment of
Tom Vann as a citizen by blood of the Cherokee Nation.

DECISION.

The record in this case shows that on June 30, 1902
Ernest Starr appeared before the Commission, at Muskogee, Indian
Territory, and made application for the enrollment of Tom Vann as
a citizen of the Cherokee Nation. Further proceedings were had
in the matter of this application at Tahlequah, Indian Territory
on December 15, 1904.

The evidence in this case shows that Tom Vann was about
22 years of age at the time application was made for his
enrollment; that he is a Cherokee by blood; and that he has
always lived in the Cherokee Nation and has been recognized as a
citizen thereof. He is duly identified upon the 1896 Cherokee
Census Roll.

It is, therefore, the opinion of this Commission that
✓ Tom Vann should be enrolled as a citizen by blood of the Cherokee
Nation, in accordance with the provisions of Section twenty-one of
the act of Congress approved June 20, 1898 (30 Stat., 495), and it
is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

[Handwritten signature]

Chairman.

[Handwritten signature]

Commissioner.

Muskogee, Indian Territory,

[Handwritten signature: C. R. Bucknidge]
Commissioner.

APR 4 1905

COPY

Cherokee D-3149.

Muskogee, Indian Territory, April 4, 1905.

W. V. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 4, 1905, granting the application for the enrollment of Tom Vann as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. 8-38.

SIGNED.

T. B. Needles.
Commissioner in Charge.

COPY.

Cherokee D-3149.

Muskogee, Indian Territory, May 1, 1905.

Tom Vann,

Peggs, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 4, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

(SIGNED).

Tams Bixby.

Chairman.

Incl. 9-5.

Cher 10884

Edward B. Lynch

Trans. from Fr 1258

Cher 10884

✓

①
a.m.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-:-

In the matter of the application for the enrollment of
Edward B. Lynch as a citizen by blood of the Cherokee Nation.

Cherokee Freedmen 1258

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., September 29, 1900.

In the matter of the application of Edward B. Lynch for enrollment as a Cherokee by blood; being sworn and examined by Commissioner Needles, he testified as follows:

Q What is your name? A Edward B. Lynch.
Q How old are you? A 29.
Q What is your post office address? A Vinita.
Q What district do you live in? A Delaware.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q What degree of blood? A About 1/8 I guess.
Q What was your father's name? A Allen Lynch.
Q He living? A Yes, sir.
Q What is your mother's name? A Cynthia Lynch.
Q She living? A Yes, sir.
Q For whom do you apply? A Myself and one child.
Q What is your wife's name? A Alice is the one I am living with now.
Q She a white person? A No, sir.
Q What was her name before you married her? A Alice Landrum; she is on the Freedman Roll.
Q She is a freedman is she? A Yes, sir.
Q What is the name of the child? A Selah, 5 years old, but he is dead.
Q Your wife living? A Yes, sir.
(Edward Lynch on 1880 roll, page 200, No. 1888, Eddie Lynch, Delaware district, Freedman Roll. On 1880 Freedman Roll, page 658, No. 77, Eddie B. Lynch, Delaware district.)

The name of Edward B. Lynch appears upon the authenticated roll of 1880, as well as the census roll of 1880, and he being duly identified and having made satisfactory proof as to his residence, he will be duly listed for enrollment as a Cherokee citizen by blood.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Sworn to and subscribed before me this the 2nd of October, 1900.

[Signature]
Commissioner.

375' (B)

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 29 1900



ACTING CHAPLAIN

CHEROKEES BY BLOOD AND ADOPTION.

Date

20 1900

1900.

Name

District

DELAWARE.

Year 1880

Page 280

No. 1553

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

| | | | | |
|-------|------|------|-----|-----|
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
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| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |

117 1880 nullus

Eddie Lynne

20 1900

Page 701.

Department of the Interior,
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I.T., August 14, 1903.

In the matter of the application of EDWARD E. LYNCH, for
the enrollment of himself as a citizen by blood of the Cherokee
Nation.

SUPPLEMENTAL TESTIMONY:

EDWARD E. LYNCH, being duly sworn and examined by the
Commission, testified as follows:

- Q What is your name? A Edward E. Lynch.
Q How old are you? A I am 33.
Q What is your postoffice address? A Vinita.
Q Are you an applicant for enrollment by this Commission as a
citizen by blood of the Cherokee Nation?
A Yes sir.
Q Have you lived all your life in the Cherokee Nation?
A Yes sir.
Q Never lived anywhere else? A No sir.
Q Living in the Cherokee Nation now, are you?
A Yes sir.

+++++

Mabel F. Maxwell, being duly sworn, states that, as
stenographer to the Commission to the Five Civilized Tribes,
she correctly recorded the supplemental testimony in this
case, and that the above is a true and complete transcript
of her stenographic notes thereof.

Mabel F. Maxwell

Subscribed and sworn to before me
this 14th day of August, 1903.

Samuel Foreman

Notary Public.

It is, therefore, a violation of the basic right of the
lawyer. The defendant is entitled to a fair trial, in ac-
cordance with the provisions of the Constitution, of the right of
the defendant to a fair trial, 28 U.S.C. 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014,

... ..

(continued)

Conditioner.

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C. [unclear]

1177
Cherokee Freedmen 1866

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Edward B. Lynch, Cherokee by blood.

ORDER.

Following the filing of the Department in the case of
Cynthia Lynch, et al., Cherokee 3864, Departmental letter of
April 22, 1904, (I.T.D. 1140-00), in which file of Edward B.
Lynch, August 11, 1904, in the case of Edward B. Lynch, Cherokee
Freedmen 1866, is hereby granted, and it is ordered that said
case be reopened and the decision of January 6, 1904, enrolling
said Edward B. Lynch as Cherokee Freedman be set aside, and
the case be reopened for enrolling said Edward B. Lynch as a
Cherokee by blood.


Commissioner

Washoe, I. H. T. 1866,

August 25th, 04.

CHEROKEE NATION,
COMMISSIONER OF INDIAN AFFAIRS.

In the matter of the application of Edward B. Lynch, for enrollment as a citizen of the Cherokee Nation.

The record in this case shows that on December 24, 1900, Edward B. Lynch, of the Cherokee Nation, appeared before the Commission at Vinita, Indian Territory, and made a statement in support of his claim to be a citizen by blood of the Cherokee Nation. Further proceedings in the matter of this application were had at Tahlequah, Indian Territory, August 14, 1903.

The record further shows that on January 1, 1904, this Commission rendered its decision in this case, enrolling said applicant as a Cherokee Freedman, and that on August 12, 1904, said applicant filed a motion herein praying that this case be re-opened, and that he be enrolled as a citizen by blood of the Cherokee Nation and that said motion was granted by this Commission.

The evidence herein shows that the applicant, Edward B. Lynch, is a Cherokee Freedman; has continuously resided in the Cherokee Nation since birth, and is duly identified on the Cherokee authenticated tribal roll of 1860, and the Cherokee census roll of 1890.

It is, therefore, the opinion of this Commission that Edward B. Lynch, a Cherokee Freedman, is a citizen by blood of the Cherokee Nation, and is entitled to the provisions of section twenty-one of the Act of Congress approved June 26, 1906, (34 Stat., 495), and it is so ordered.

CHEROKEE NATION, INDIAN TERRITORY.


Chairman

Commissioner

Witness my hand and seal at Tahlequah, Indian Territory,

APR 24 1905

Cherokee #3781.

Cherokee, Indian Territory, January 7, 1904.

W. W. Hastings,

Attorney for Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 6, 1904, granting the application of Edward B. Lynch for the enrollment of himself as a Cherokee freedman.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Enc. D-22.

Chairman.

Cherokee #3781.

uskogee, Indian Territory, January 7, 1904.

W. W. Hastings,

Attorney for Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 6, 1904, granting the application of Edward B. Lynch for the enrollment of himself as a Cherokee freedman.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Enc. D-22.

Chairman.

Cherokee #3781.

Muskogee, Indian Territory, January 25, 1904.

Edward B. Lynch,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 6, 1904, granting your application for the enrollment of yourself as a Cherokee freedman.

Respectfully,

Commissioner in Charge.

Register.

Enc. H-1.

Muskogee, Indian Territory, February 2, 1904.

Edward B. Lynch,

Vinita, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of January 28th, acknowledging receipt of the Commission's decision enrolling yourself as a Cherokee Freedman. You state that the Commission's decision is correct as to your father being a Cherokee Freedman, but that, as your mother is a Cherokee by blood, you desire to be enrolled as a Cherokee by blood and ask what course you should pursue in order to have the Commission's decision changed in accordance with your wishes.

In reply you are advised that in the case of Earl C. Lynch, et al., Cherokee #3634, the Commission on September 18, 1903, rendered a decision enrolling certain children of your mother, Cynthia Lynch, as Cherokee Freedmen; the Cherokee Nation did not protest against said decision, but Cynthia Lynch did protest against the classification of her said children and upon that protest the Commission on November 9, 1903, forwarded the record and decision in the case to the Secretary of the Interior for approval. The Commission has not

-2-

as yet been advised of any action having been taken by the Department in the matter. Should the Secretary hold that these children should be enrolled as Cherokees by blood, you may then take the same steps to have your classification changed accordingly.

Respectfully,

Commissioner in Charge.

Land 73497-1904.

Department of the Interior,
Office of Indian Affairs,
Washington, March 12, 1904.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith for the consideration of the Department the record of the proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Cynthia Lynch for the enrollment of herself, her adult son, Bert W. Lynch, and her minor children, Earl C., Ruth E. and Emma O. Lynch, Ruth's name now being Whitacre, she having married since the date of said application.

On September 16, 1903, the Commission rendered a decision in this case, finding from the evidence that the said Cynthia Lynch is identified as a Cherokee freedman on the 1880 authenticated Cherokee roll and on the 1896 Cherokee census roll, but that said classification is erroneous, as it is shown by the evidence that the said Cynthia Lynch is a Cherokee by blood and is the daughter of John Clark, a white man, and his wife, Mary Clark; that the other applicants are the issue of a marriage between the said Cynthia Lynch and one Allen Lynch, who is a Cherokee freedman, and identified as such on the 1880 authenticated roll of the Cherokee Nation; that the evidence shows that the said Bert W. Lynch is identified as a Cherokee freedman on the 1880 roll and 1896 census roll of the

Cherokee Nation, while his other brother and sisters were born since 1880, and are identified as Cherokee freedmen on the 1896 census roll. The Commission further finds from the evidence that the residence of all these parties has always been in the Cherokee nation, excepting such time as the said Bert W. Lynch was in the penitentiary at Fort Leavenworth, and a few years in which the said Cynthia Lynch was absent during the war of the rebellion.

By reason of said facts and findings the Commission is of the opinion that Cynthia Lynch should be enrolled as a citizen by blood of the Cherokee Nation and that her children should be enrolled as Cherokee freedmen.

Attached to this record is a communication from said Cynthia Lynch dated October 28, 1903, addressed to the Commission, holding that their classification of her children as Cherokee freedmen is erroneous, saying that said children are Cherokees by blood and have always drawn their per capita of money as such; that the application was made by her for them as Cherokees by blood, and she would like very much to have them so listed.

I have examined the testimony submitted in this case, and it appears that the said findings and facts as set forth by the Commission in its said decision are in accordance therewith, and I am unable to agree with the Commission in its said decision wherein it finds these children should be listed as Cherokee freedmen. It appears that their mother is a Cherokee of the half blood, her mother having been a native Cherokee. In determining Indian citizenship or nationality, so far as I know, the quantum of Indian blood is never taken into consideration, it makes no difference whether

the person be a whole, half, quarter, eighth, etc., blood, nor in any examination made into what constitutes the other part of the nationality of the individual, even in cases where some other nationality largely predominates. It is no doubt true that the practice of holding that any degree of Indian blood, however small, determines the racial status of the person whose citizenship is involved necessarily reduces itself to an absurdity, for it is certainly not a rational judgment that would hold that a person who was only one-eighth part of Indian blood, the remaining seven-eighths being of white blood, is a member of the Indian race, but such holdings appear to be decreed by civilization and society, and so far as the Indian is concerned have been recognized by law. Because the father of these children was a negro is no reason why the rule as to the Indian race should be changed. Under the facts stated these children are quarter blood Cherokee Indians, being a much greater proportion of Indian blood than many who have been admitted to citizenship in said nation as Cherokees by blood.

So far as I know the racial status of all of these persons outside of their Indian blood has never been inquired into, and is never considered when determining the question of citizenship, and I see no reason why an exception should be made in this case. This applicant makes application before the Commission to have herself and her children enrolled as Cherokees by blood; she proves to the satisfaction of the Commission that she is a Cherokee by blood, and her name appears on the 1880 authenticated Cherokee roll; she makes out her case and that of her children, and establishes their claim,

and so far as they are concerned it makes no difference who was their father or what racial status he occupied. It simply happened in this case that the father was a Cherokee freedman whose name appeared on the 1880 authenticated roll. Let us suppose for a moment that the father of these children had been a colored person but not a Cherokee freedman. I think in that event there would be no question but what these children would have been enrolled by the Commission as Cherokees by blood. I am therefore clearly of the opinion that said decision of the Commission, so far as these children are concerned, is erroneous, and that they should be enrolled as citizens by blood of the Cherokee Nation, and so recommend to the Department.

Very respectfully,

WCB-Ma.

A. C. Tonner

Acting Commissioner.

D.C.13482-1904.

WCF JP IRS

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I.T.D. 2180-1904.

April 26, 1904.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

On November 9, 1903, you transmitted the record in the matter of the application of Cynthia Lynch for the enrollment of herself and her four minor children, Earl C., Emma O. and Bert W. Lynch and Ruth E. Whitmire, as citizens by blood of the Cherokee Nation.

Cynthia Lynch is identified as a Cherokee freedman on the 1880 authenticated Cherokee roll, and on the 1896 Cherokee census roll. It appears, however, that she is a Cherokee by blood, and is the daughter of John Clark, a white man, and his wife, Mary Clark, a native Cherokee. Her husband, Allen Lynch, is identified on the 1880 roll as a Cherokee freedman. The other applicants are the children of Cynthia Lynch and Allen Lynch. Bert W. Lynch is identified as a Cherokee freedman on the 1880 authenticated roll and on the 1896 Cherokee census roll. Emma O. Lynch, Ruth E. Whitmire, formerly Lynch, and Earl C. Lynch were born since 1880, and are identified as Cherokee freedmen on the 1896 Cherokee census roll.

It appears that Cynthia Lynch has always lived in the Cherokee Nation with the exception of a few years absence during the war; that Bert W. Lynch has always lived in the Cherokee Nation, though he was confined for some time in the penitentiary at Fort Leavenworth. The minor applicants herein are considered to have resided in the Cherokee Nation since their birth.

September 18, 1903, you decided that Cynthia Lynch should be enrolled as a citizen by blood of the Cherokee Nation, and that the other applicants should be enrolled as Cherokee freedmen. The applicant Cynthia Lynch protests against your classification of her children as Cherokee freedmen.

Reporting March 12, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved, in so far as it enrolls the applicants, but takes the view that the applicants Bert W. Earl C. and Emma O. Lynch and Ruth E. Whitmire should be enrolled as citizens by blood instead of as Cherokee freedmen.

It appears that the enrollment of Cynthia Lynch on the 1880 roll as Cherokee freedmen was merely an error in classification, as it appears that she is of Cherokee and white blood. She should therefore be enrolled as a citizen by blood. As to the other applicants, they are the children of Cynthia Lynch and are entitled to the same rights as she has. Their father's name is on the 1880 roll as a Cherokee freedman. They are therefore entitled to be enrolled as Cherokee freedmen. As they are entitled to be enrolled either as Cherokee freedmen or Cherokees by blood, and desire to be

enrolled as Cherokees by blood, the Department is of the opinion that they should be so enrolled. You are therefore directed to enroll the applicants as citizens by blood of the Cherokee Nation.

A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos Ryan

Acting Secretary .

1 inclosure.

C.F.#1259

No.
28202

Lynch, Edward,
Tahlequah, I. T.,
August 1, 1944.

States that he desires to
enroll as a Merckew
blood.

chr 2781

William H. Vann

COUNSELOR-AT-LAW AND NOTARY PUBLIC

Practice before the Commission to the
Five Civilized Tribes and the
Interior Department

Tahlequah Oct. 5 / 12 1904

Hon. Commission to the Five Civilized
Tribes

muskoogie.

Dear sir my mother is in receipt
of a letter from the Commission
stating that herself (Gynthia Lynch)
together with her children Carl, C.
Emma, O. & Bert, W. Lynch and Ruth
E. Whitmire, has been directed to
be enrolled as Cherokees by blood
by the Interior Department.

And as Gynthia Lynch is my
mother and ^{she} some of her children
has been ^{directed} enrolled as Cherokees by
blood and I enrolled as a Freedman.
I desire to have my case reopened
that I may be able to enroll with
the rest of the family as Cherokee
by blood

Yours respectfully

Edward Lynch.

Cherokee Freedmen
1258

Muskogee, Indian Territory, August 18, 1904.

Edward Lynch,

Tahlequah, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of August 12, stating that you desire to be enrolled as a citizen by blood of the Cherokee nation, and not as a Cherokee freedman.

In reply you are advised that this matter will be immediately taken up and you will be further notified as to the commission's action in your case.

Respectfully,

Commissioner in Charge.

COPY.

Cherokee Nation

No. 1258.

Muskogee, Indian Territory, April 24, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 24, 1905, granting the application for the enrollment of Edward B. Lynch as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

(SIGNED) *Tams Pixey*
Chairman.

Incl. S-56

COPY.

Cherokee Freedman
1258.

Muskogee, Indian Territory, May 16, 1905.

Edward B. Lynch,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 24, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-116.

SIGNED *Tams Dixby.*
Chairman.



I have been thinking
 about the
 position that the
 should stand under
 present circumstances
 (the world is
 broken), and in
 the future, having made
 in the position
 at present Edward B.
 Smith
 14 June 1894

Cher 10885

William F. Oakley

Cher 10885

FEB



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment
as a citizen by blood of the Cherokee Nation of:

William F. Oakley ---Cherokee-D-2574.

-----000-----

1890-1891

ADMISSION TO THE
FILED
SEP 4 1902

Office of the Secretary of the Navy
Washington, D. C.
February 10, 1901
Honorable Mr. Secretary,
I have the honor to acknowledge the receipt of your letter of the 7th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.
Very respectfully,
J. D. Long, Secretary of the Navy.

R
Cher D 2574

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1890 Cherokee roll,
their families and descendants:

William F. Oakley, page 56, # 1521, Canadian District;

Note: "Orphan, enrolled with # 1050, (John D. Jordan)"; also
on 1894 roll, page 51, # 1101, Canadian District, as William T.
Oakley;

Note: "John D. Jordan, guardian".

- Q Are there any other persons for whom you desire to make applica-
tion for enrollment?
A I desire to apply for the following named persons on the 1890
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this August 18, 1902.

E. C. Bagwell
Notary Public.

B.
Cher. D-2574.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 13, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of WILLIAM F. OAKLEY as a citizen by blood of the Cherokee Nation.

W. S. AGNEW, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: Your name is W. S. Agnew, your age is sixty, and your post office address is Muskogee, Indian Territory? A Yes sir.

Q You are a recognized citizen by blood of the Cherokee Nation?

A Yes sir.

Q You state you desire to give some testimony in behalf of William F. Oakley, ~~and~~ minor child. He is a citizen of the Cherokee Nation?

Q I know that he is a Cherokee. I know his mother and his grandmother. I could state them clear back. His mother was a Sanders, a citizen of the Cherokee Nation by blood, and his mother and father both died. John D. Jordan is guardian of the minor child.

Q Do you know the post office address of William F. Oakley? A He was in Muskogee the last I knew of him.

Q Do you know with whom he was making his home? A With a Mr. Blurton, I believe that is the name.

Q Is William F. Oakley an orphan child? A Yes sir.

Q What is the name of the father of William F. Oakley?

A I think his name was William Oakley.

Q Is Mr. Oakley living? A I don't know whether he is not, his father is dead.

Q Was he a Cherokee by blood? A No sir, a white man.

Q What is the name of the mother of William Oakley? A She was a Sanders, I don't remember her given name now. Her mother was Charlotte Adair.

Q Is she living? A No sir, she is dead.

Q Was she a Cherokee by blood? A Yes sir.

Q Were you at one time the guardian of William F. Oakley?

A Yes sir, I had kind of care of the estate. The guardian was John D. Jordan. He was appointed by the Judge to attend to the business.

Q As Judge of Canadian District, did you appoint John D. Jordan as guardian for this boy? A No sir, he was appointed by Judge Vann before I came in.

Q How long since you have seen William F. Oakley? A It has been eight or ten years.

Q He is now about seventeen years of age? A It has been about six years since I saw him. I would suppose he was about eighteen years, seventeen or eighteen years of age now, from the size of the boy then.

Q Did the mother of William F. Oakley reside in the Cherokee Nation continuously until the time of her death? A Yes sir, never was out of the Cherokee Nation.

Q Did this boy reside in the Cherokee Nation until about six years ago, when he went to reside in the Creek Nation. A I don't know how old he was, but after his mother died the boy's aunt sent and got him and took him to Muskogee. She lived in Muskogee. He was just a child.

Q Do you know who drew Strip money for the child in 1894?

A I expect John Jordan.

Q You never have heard of the death of William F. Oakley? A No sir.

Q So far as you know he is living? A Yes sir.

1896 census roll of citizens of the Cherokee Nation examined,
and applicant identified as follows:

Page 56, #1521, William F. Oakley, Canadian District, age 11.

1894 roll, Page 51, #1101, Canadian District, William T. Oakley.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Subscribed and sworn to before me this 22 day of August, 1902.

John Rogson
Notary Public.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., August 30, 1902.

Supplemental testimony in the matter of the application of William F. Oakley for enrollment as a citizen by blood of the Cherokee Nation.

The applicant in this case was listed for enrollment as a citizen by blood of the Cherokee Nation on June 30, 1902, and his name placed on Cherokee Roll Card, Field No. D-2574. He is duly identified on the census roll of 1896 in Canadian District, page 56, No. 1521, as William F. Oakley, and on the Cherokee Strip Payment Roll of 1894, page 51, No. 1101, as William T. Oakley, Canadian District.

Louisa Dyer, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Louisa Dyer.

Q How old are you? A I am fifty-three.

Q Where do you reside, at Muskogee? A Yes sir, east side of Muskogee.

Q Are you the aunt of the applicant in this case, William F. Oakley?

A Yes sir.

Q How old is that child? A He was 17 last March I think, I can't say positively.

Q What was this boy's father's name? A Richard Oakley.

Q Is his father living? A No sir, he is an orphan; mother and father both dead.

Q Was his father a white man or Cherokee? A White man.

Q What is this boy's mother's name? A Mary Sanders was her name.

Q Is she living or dead? A Dead, they are both dead. They died when he was a little child.

Q Was his mother a Cherokee? A Yes sir.

Q Where is this boy living? A He is in the Reform school at Topeka, Kansas, North Topeka.

Q How long has he been there? A He has been there three years this coming winter, couldn't tell you exactly.

Q Where was this child born? A He was born down here on the Arkansas River in the Cherokee Nation.

Q Did he live here continuously from the time of his birth until the time he was sent to the Reform School? A He lived here until three years ago, and the uncle that had him by marriage taken him to Galena, Kansas, and took him away from there.

Q Where was he sent to the Reform School from? A At Galena.

Q How long was he at Galena? A Just a little while, some two or three months.

Q Was that the first time this boy ever made his home out of the Indian Territory? A Yes sir, the first time he was ever out of the nation; my brother-in-law taken him up there after my sister died.

Q Was Mary Sanders your sister? A No, it was this boy's mother, Dick Oakley was my brother.

W. S. Agnew, being sworn and examined by the Commission, testified as follows:

Q What is your name? A W. S. Agnew.

Q What is your age and postoffice address? A Sixty years old, Muskogee, my postoffice.

Q Are you acquainted with the applicant in this case, William F. Oakley? A Yes sir.

Q How long have you known this child? A I got acquainted with him along in the '90s when I was district judge.

William F. Oakley-2.

- Q Do you know where the applicant is at the present time? A I hear he is in the Reform School.
- Q How long has it been since you saw him in the Cherokee Nation or Indian Territory? A It seems about two or three years.
- Q From the time you became acquainted with him up until the time you first missed him did he reside in the Indian Territory all the time? A Yes sir.
- Q Was he generally recognized as a Cherokee? A Yes sir.
- Q Did you know his father? A Yes sir.
- Q He was a white man was he? A Yes sir.
- Q Who was this boy's mother? A She was a Sanders; her mother and father are both on the roll.
- Q What was her father's name? A Joshua Sanders.
- Q Who was the mother of Mary Sanders? A She was Charlotte Adair.
- Q Do you know under what name the applicant's mother appears on the roll of 1880 - is she under the name of Mary Sanders? A I expect she will be a Sanders.
- Q How long has she been dead? A Five or six years.
- Q Do you know whether Mary Sanders was ever married prior to her marriage to Richard Oakley? A Yes sir.
- Q What was the name of her first husband? A Jack Quinton.

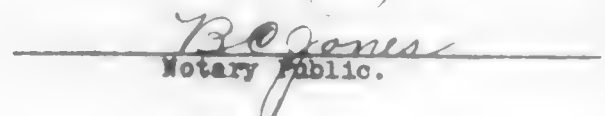
The applicant's mother is duly identified on the roll of 1880 as Mary Quinton in Illinois District, page 570, No. 1460 A.

- Q Prior to the time this boy was sentenced to the Reform School had he always lived in the Cherokee Nation? A He was in Muskogee a good deal.
- Q In the Indian Territory I mean? A Yes, he was.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.



Subscribed and sworn to before me this 2nd day of September, 1902.


Notary Public.

C. A. - 11 - 11

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 2, 1905.
-o:O:o-

SUPPLEMENTAL TESTIMONY in the matter of the application for the enrollment of William F. Oakley as a citizen by blood of the Cherokee Nation.

WILLIAM F. OAKLEY being duly sworn, testifies as follows:

- Q What is your name? A William F. Oakley.
Q What is your age? A 19 the 7th day of next March.
Q What is your postoffice address? A McLain, Indian Territory.
Q Where were you born? A In the Cherokee Nation, McLain, I.T.
Q Who was your father? A Richard Oakley.
Q Was he a Cherokee or a white man? A White man
Q How old were you when your father died? A About three months old.
Q How old were you when your mother died? A Two months old
Q What was your mother's name? A Mary Sanders.
Q Was she a Cherokee or a white woman? A Cherokee.
Q Have you ever lived outside of the Cherokee Nation? A Yes sir.
Q How long? A About three years.
Q Where were you? A In Kansas and Missouri.
Q With whom were you living? A With C. H. Blurton.
Q Was he any relation of yours? A A cousin.
Q Part of the time that you have been out of the Cherokee Nation have you been in a Reform School? A Yes, sir.
Q Did you return to the Cherokee Nation when you were released from the Reform School? A Yes sir.
Q Where have you always considered your home? A Down at McLain, Cherokee Nation, Indian Territory.
Q Where are you making your home at the present time?
A McLain.
Q On what place are you living? A On the Shoe farm, goes by that name. It has been leased to him for five years; I just got possession of it this summer.
Q How long has it been since you returned from the Reform school?
A About three years.
Q Since your father and mother's death have you stayed at any place that you regarded as your home other than at McLain, Indian Territory? A No sir.

--o-o-o-o-o-o--

Lucy M. Bowman being duly sworn, states that as stenographer to the Commission to the five Civilized Tribes she correctly recorded the proceedings had in the above cause on the first above mentioned date, and that the above and foregoing is a full, true and correct transcript of her stenographic notes therein.

Subscribed and sworn to before me this 2nd day of February, 1905.

W. L. H. Bell
Notary Public.

22413

In the matter of the application of William B. Oakley for citizenship.

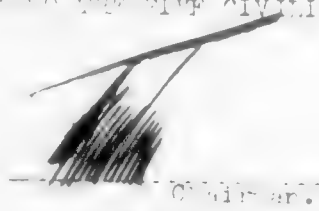
On record evidence it appears that said applicant was born in the Cherokee Nation, on June 20, 1894, and that he was enrolled in the Cherokee Nation as a citizen of said Nation. On the 1st of August, 1894, he was enrolled in the Cherokee Nation as a citizen of said Nation. On the 1st of August, 1894, he was enrolled in the Cherokee Nation as a citizen of said Nation.

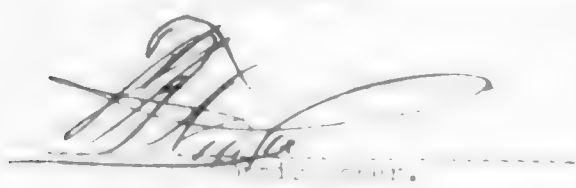
It is further shown that said applicant was enrolled in the Cherokee Nation as a citizen of said Nation on the 1st of August, 1894, and that he is and has been a citizen of said Nation. It is further shown that said applicant was enrolled in the Cherokee Nation as a citizen of said Nation on the 1st of August, 1894, and that he is and has been a citizen of said Nation.

The evidence further shows that William B. Oakley was born in the Cherokee Nation and has resided continuously therein, with the exception of about three years during part of which time he was confined in a reform school in the State of Kansas.

It is, therefore, the opinion of this Commission that William B. Oakley is and was enrolled as a citizen of the Cherokee Nation, in accordance with the provisions of Section 493, Act of Congress approved June 18, 1906 (34 Stat., 493), and it is so ordered.

COMMISSIONER OF THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

APR 20 1905

COPY.

Cherokee D-2874.

Muskogee, Indian Territory, April 20, 1908.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 20, 1908, granting the application for the enrollment of William F. Oakley as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. S-44.

SIGNED,

Tams Dixby
Chairman.

COMMISSIONERS
JAMES RIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER TO REPLY TO THE FOLLOWING.

Cherokee D-2574.

WM. O. DEALL,
Secretary

Muskogee, Indian Territory, May 16, 1905.

William F. Oakley,
McLain, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 20, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-102.

Chairman.



Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOCOE, IND. TER.



Cher 10886

Nita Comstock

Cher 10886

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--:--

In the matter of the application of the enrolment of
Nita Comstock as citizen of the Cherokee nation.

--:--

Cherokee L 3045.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tuskaloosa, Ala. June 30, 1902.

In the matter of the application of JAMES STARR, of Ala.,
for enrollment as citizens of the Cherokee Nation:

JAMES STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A James Starr.
Q What is your age? A Fifty-one years.
Q What is your post office address? A Cherokee, Ala.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1820 Cherokee roll,
their families and descendants:

Neatar Rowe #112 Orphan Roll Saline District.

Q Are there any other persons for whom you desire to make appli-
cation for enrollment?

A I desire to apply for the following named persons on the 1820
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. C. Bagwell

Subscribed and sworn to before me this December 9, 1902.

V. B. Jones
Notary Public.

FILED
SEP 1 1904
COMMISSION TO FIVE TRIBES.

200-5-10070
Wm. M. ...

Wm. M. ...

RECEIVED
SEP 1 1904

Cherokee D 3045.

Department of the Interior,
Commission to the Five Civilized Tribes,
August 16, 1904.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of NITA COMSTOCK as a citizen by blood of the Cherokee Nation.

APPEARANCES:

Applicant appears in person.

Cherokee Nation by its attorney, W. W. Hastings.

NITA COMSTOCK, being first duly sworn, testified as follows:

By the Commission:

Q What is your name? A Nita Comstock.

Q How old are you? A I am about 22 now.

Q What is your postoffice address? A Ardmore.

Q What is the name of your father? A Stan Rowe.

Q Is he living? A No, sir.

Q Was he a citizen by blood of the Cherokee Nation? A He was.

Q What is the name of your mother? A Nancy Clingan, before she married; Rowe now.

Q Is she living? A No, sir, she is dead.

Q Was she a citizen by blood of the Cherokee Nation? A She was.

Q Do you know whether your parents' names appear upon the 1880 Cherokee roll? A No, sir, I don't.

Q Where were you and they living when you could first remember?

A I was going to school at Claremore, at Major Lipe's, when my father got killed in 1894.

Q Where was your father living then? A In Saline district.

Q Did your mother die before that time? A Yes, sir.

Q About when did she die? A I don't remember; my mother at all; I was very small.

Q Where were you living when you could first remember? A First remember my mother?

Q When you first remember anything where were you living? A Mrs. ~~Angus~~ Archer's.

Q Where is that? A On Pryor Creek.

Q What is her full name? A M. F. ~~Re~~ Archer, Mary Archer.

Q How old were you then, about? A I was about eight years old.

Q How long did you continue to live with her? A Till I was about 19 years old.

Q Then where did you go? A I was married then.

Q You were married when you were 19? A Yes, sir.

Q Where were you married? A Fortworth, Texas.

Q Who to? A L. R. Comstock.

Q Is he a citizen of the state of Texas of the Cherokee Nation?

A He was raised in Texas.

Q He is a non-citizen of the Cherokee Nation? A He is no citizen.

Q Do you remember the date of your marriage to him? A November 29, 1900.

Q Have you any brothers or sisters? A Yes, sir.

Q Older or younger than you? A Older.

Q What are their names? A Frank and Ellen and Taylor.

Q Where were you living when the 1896 Cherokee census roll was taken? A Ardmore.

Q Six or seven years ago? A Seven years ago, 1896 roll, I was at home then.

Q Where was that? A At Pryor Creek.
Q With Mrs. Archer? A Yes, sir, she enrolled me.
Q Who were you enrolled with? A Nobody.
Q Did you ever attend school over there in Saline? A Yes, sir.
Q When was it you went to school there? A I went there in 1895, until I was about 19.
Q Your name then was what? A Nita Rowe.
Q On the 1896 roll in Saline District, on the Orphan roll is found the name of Neatar? A They don't spell it like Mama and then did.
Q Did you draw money in 1894? A Yes, sir.
Q Where were you living then? A At Mrs. Archer's, Pryor Creek.
Q Do you know whether you were enrolled by yourself at that time or with somebody else? A Mama had me enrolled.
Q Your mother was living then? A No, sir, I called Mrs. Archer mother.
Q Were you going to school at the Orphan Asylum at that time?
A No, sir, not then.
Q How long have you been living at Ardmore? A About three years.
Q Did you live there before you were married? A No, sir.
Q Have you got any property in the Cherokee Nation? A No, sir, not yet.
Q No property of any kind? A No, sir.
Q Why have you never made application to this Commission to be enrolled? A I don't know, I didn't know they were enrolling or anything about it; they never notified me; my folks didn't.
Q Where were you living four years ago, in 1900? A I lived at Hazlit, Texas, about four months, I guess, before we went to Ardmore.
Q Who were you living with down there? A Comstock.
Q When did you first leave the Cherokee Nation? A It has been about not quite three years ago. I have been back several times visiting and have been in the Chickasaw Nation.
Q Where did you go when you first left the Cherokee Nation? A I went to Fortworth.
Q How long did you live there? A We were married in Fortworth, 16 miles north of Fortworth.
Q Is the date of your marriage the first time you were ever out of the Cherokee Nation? A Yes, sir, it was four years this fall.
Q And you had never been out before that time? A No, sir.
Q Where did you go from then, Mrs. Archer's place on Pryor Creek?
A Yes, sir.
Q And since your marriage you have never lived in the Cherokee Nation? A I have been living in the Chickasaw Nation, not in the Cherokee.
Q What district do you think you were enrolled in on the 1894 roll, when you drew your money? A Cooweescoowee.

By Mr. Hastings:

Q Just after you married where did you go? A Hazlit, Texas.
Q That was in the fall of 1900? A Yes, sir.
Q How long did you live there? A About three or four months.
Q Then where did you go? A Ardmore.
Q Have you lived at Ardmore ever since? A Yes, sir.
Q And are living there now? A Yes, sir.
Q You never went back to Texas any more? A No, sir.

Commission: The 1880 roll, Saline District, examined and the name of Stand Rowe, native Cherokee, aged 30 years, and Nancy Rowe, native Cherokee, aged 28 years, are found opposite Nos. 868 and 869, in Saline district, together with children, Ellen, Annie, Frank, Taylor, Jack.

Q Who do you think you might have been enrolled with on the 1894 roll, by Mrs. Archer? A Myself and Lucile.

- Q Lucile who? A That is a grandchild, Archer.
Q Did she ever go by the name of Lucile McIntosh? A Yes, sir.
Q What was her mother's name? A Lou McIntosh.
Q Lou Archer or McIntosh? A Yes, sir.

Commission: 1894 pay roll of the Cherokee Nation examined and the name Nita Rowe found in Cooweescoowee district, opposite No. 2751, enrolled with Lou McIntosh and Lucile McIntosh.

JIM ROWE, being first duly sworn, testified as follows:

By the Commission:

- Q What is your name? A Jim Rowe.
Q How old are you? A 58 somewhere along there.
Q What is your postoffice address? A My postoffice is Rose now; it was Oaks.
Q You are a citizen by blood of the Cherokee Nation? A Yes, sir.
Q Are you a full blood? A Yes, sir.
Q Do you know this woman who has just left the stand, Nita Comstock? A Yes, sir.
Q What relation is she to you, if any? A She is my brother's daughter, Stan Rowe.
Q Stan Rowe was your own brother? A Yes, sir, my full brother.
Q When did he die? A I couldn't tell you; it has been a good while; he died just before that strip payment.
Q 1894? A Yes, sir.
Q What was his wife's name? A Nancy Rowe; she was a Clingan.
Q When did she die? A She died away before that; I just couldn't tell you when, how long before that.
Q What became of this girl, Nita, after her parents' died? A When her mother died Mrs. Archer took her and raised her.
Q Mrs. Archer up here at Pryor Creek? A Yes, sir.
Q Do you know about how old this girl is now? A I couldn't hardly tell you; she must be about 20 or 22; I couldn't tell just exactly. It may be a little over 20 or 22.
Q Do you know how long she lived with Mrs. Archer? A She left lived there a good while and stayed at the asylum.
Q Cherokee Orphan Asylum? A Yes, sir.
Q About when did she leave Mrs. Archer's place? A I couldn't tell you; after she left the Asylum she went to Mrs. Archer's, and I don't know where after that.
Q Do you know where she has been for the last three or four years? A No, sir.

Mr. Hastings: Nothing, no cross-examination.

Applicant, being recalled, testified as follows:

By the Commission:

- Q Your postoffice will continue to be Ardmore? A My husband is thinking of coming here; he is a carpenter, and I am going to stay.
Q Here in Muskogee? A No, sir, at Tahlequah.
Q Can you advise the Commission what will be your permanent postoffice address? A Here at Muskogee; my husband is coming here.
Q Then if we should write any letters to you, you would like to have them address to Muskogee? A No, sir, I would like to have them addressed to Ardmore until we notify you differently. That will be our postoffice until we move and then we can notify you.

O-O-O-O-O-O-O-O-O

H. M. Vance, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the

proceedings had in the above entitled cause and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

H. H. Vance

Subscribed and sworn to before me this the 6th day of September, 1904.

W. B. Martin Jr.

Notary Public.

Cherokee D 3045. *U 1110*

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for the enrollment of
Nita Comstock as a citizen by blood of the Cherokee Nation.

DECISION.

The record herein shows that on June 30, 1900, Emmet Starr appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of Neatar (Nita) Howe, as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, August 1, 1900. Since the filing of the original application herein the said Nita Howe was, on November 29, 1900, married to one L. A. Comstock, and she will now be listed for enrollment as Nita Comstock.

The evidence herein shows that Stan and Nancy Howe, both of whom are identified on the Cherokee authenticated tribal roll of 1880, as citizens by blood of the Cherokee Nation, and who retained their citizenship in said Nation until their death, were the parents of the applicant, Nita Comstock, nee Howe.

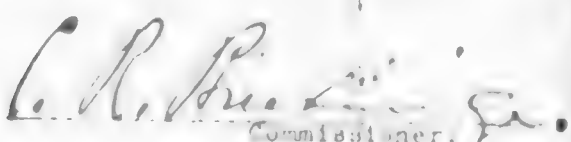
The evidence further shows that the said Nita Comstock was born since 1880, and, with the exception below noted, has continuously lived within the domain of the Five Civilized Tribes since birth. It appears that during the year 1900, the applicant herein resided for a short period in Texas, but it does not appear that her rights to citizenship in the Cherokee Nation have been forfeited thereby. Said applicant is identified on the Cherokee strip payment roll of 1894, and Cherokee census roll of 1896.

It is, therefore, the opinion of this Commission that Nita Comstock should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 25, 1898, (30 Stat. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

18

APR 24 1905

Cherokee D 3045

Tablequah, Indian Territory, November 4, 1903.

Mr. Andrew,

Pryor Creek, Indian Territory.

Dear Madam:

Application has been made to this Commission for the enrollment of a Cherokee citizen of one Ametatar Rowe, about 21 years old, whose name appears on the Cherokee census roll of 1896.

The Commission has information that Ametatar Rowe was brought up by you or in your family.

Do you know anything about this applicant and whether he is living? If so, you are requested to advise the Commission as to his present post office address and such other information as you may have concerning him in order that the proper steps may be taken to ascertain his right to enrollment.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

B3045



from
the C.C.T. river.

C.K. Beckinridge

Taken near

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Convin

Byor. week. J. T.

Nov. 10th, 1903

Head to R. Bucknridge

Tahleah, wab. J. T.

Your favor of the 7th inst
received. relative to Amstar
Rour. I possess a girl
known as Kila or Wamstar
Rour. now about 2. years of
age she is the daughter of
Stand. Rour who lives in
Saima district and about
a mile from Cherokee?
Taken her when she was
two years of age and kept
her until she was about
a year she went away from
his house about two years
ago In inst. time I heard

2

I heard of you in the West in
California

Yours Truly

M. F. Archer

Bu. Gen. W. Hayes.

Cherokee D 3045.

Tahlequah, Indian Territory, November 30, 1903.

Nita Ruark,

Laoross, Oklahoma.

Dear Madam:

Application has been made to this Commission for the enrollment of one Heater Rowe as a citizen of the Cherokee Nation, her name appearing on the Cherokee census roll of 1896, in Saline District.

The Commission has information that you are the person referred to on that roll, and if so, it will be necessary for you to appear before the Commission at its offices in Tahlequah, Indian Territory, on or before January 2, 1904, and testify relative to your citizenship and residence in the Indian Territory, and to such other facts as may be necessary to determine your right to enrollment as a citizen of the Cherokee Nation.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

BER.

X A.

X 11/23/09

COPY.

Cherokee D-3045.

Muskogee, Indian Territory, September 8, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of supplemental proceedings recently had in the matter of the application for the enrollment of Vita Comstock as a citizen by blood of the Cherokee Nation, Cherokee D-3045.

Respectfully,

Encl. 8-80.

SIGNED *Tams Dixby.*
Chairman.

OC

Cherokee D-3015.

Muskogee, Indian Territory, April 24, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 24, 1905, granting the application for the enrollment of Nita Comstock as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

SIGNED. *Tams Bixby*
Chairman.

Incl. S-47

Cherokee D-3045.

Muskogee, Indian Territory, May 16, 1905.

Wita Comstock,

Muskogee, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 24, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-95.

Jame Dixby.
Chairman.

Cher 10887

Caldeen Gunter

Cher 10887

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for enrollment as a
citizen by blood of the Cherokee, Nation of:-

CALDEEN GUNTER - - -D-412.

-oOo-

a

DEPARTMENT OF THE ARMY
COMMISSIONED TO THE SERVICE
FILED
SEP 20 1941

[Handwritten signature]

He arrived at the time of the trial, and
the trial was held on the 14th day of January, 1900.

The following is a copy of the application of Caldeen Gunter for the enrollment of himself as a citizen; said application was examined by the said Commissioner Needles, and the testimony is as follows:

- Q What is your name? A Caldeen Gunter.
Q What is your age? A 2.
Q What is your post-office address? A Winita.
Q What district do you live in? A Delaware.
Q Are you a recognized citizen of the Cherokee Nation or blood?
A Yes sir.
Q What degree of blood do you claim? A 1/32.
Q For whom do you apply for enrollment? A Myself.
Q What is the name of your father? A Caldeen Gunter.
Q Is he living? A No sir, dead.
Q What is the name of your mother? A Nancy Gunter.
Q Is she living? A Yes sir.
Q How long have you been a resident of the Cherokee Nation?
A Since 1892.
Q Your name appears upon the last enrolled roll of 1890? A No sir.
Q By what right do you claim citizenship? A I was admitted.
(Produces papers)
Com'r Needles: Applicant presents certificate of admission to Cherokee citizenship, dated January 14, 1890, signed by Roach Young, President, William Hargrave and G. W. Hayes, Associate commissioners, attested by J. T. Hayes, Clerk; the document he presents being a certified copy of the record of said certificate, same being certified to by A. B. Cunningham, Assistant Executive Secretary of the Cherokee Nation; said certificate provides that "he or Gunter and his children shall be admitted to the rights of Cherokee citizenship"; is the Nancy Gunter mentioned in the Certificate of citizenship that you present your mother? A Yes sir.
Q How old were you on the 14th day of January 1890? A 6 or 7 years old.
Q In the act of the Commission on citizenship admitting your mother they admitted the children over age, did they, the adults but neglected the names of the children, the minor children? A Yes sir.
Q And you were one of the minor children? A Yes sir.
1890 roll page 575 #200 Caldeen Gunter, Delaware;
1894 roll page 797 #1127 Calle T. Gunter, Delaware;

Com'r Needles: The name of Caldeen Gunter appears upon the census roll of 1890 and the pay roll of 1894; he presents a certified copy of a certificate of citizenship, issued by the Commission on Citizenship January 14, 1890, certifying that his mother Nancy Gunter and her adult children were admitted to all the rights of citizenship on the 14th day of January 1890, but he avers that the name of said Nancy Gunter's minor children do not appear in said certificate, for the reason that he was informed that it was not necessary to place the names of the minor children in the certificate; an unsatisfactory proof being made as to the residence of said Caldeen Gunter, but from the fact that his name is not specifically mentioned in the certificate presented, although satisfactory proof has been made that he was a minor child, of the said Nancy Gunter at the time of the admission of her the said Nancy Gunter to citizenship, final judgment as to the enrollment of said Caldeen Gunter will be suspended and his name placed upon a doubtful card.

Calder 2

... sworn, states that as stenographer to ... to the Five Civilized Tribes he correctly recorded ... and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

W. D. Green

Subscribed and sworn to before this 25 day of September 1900.

E. H. C.
Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

60
Name *William Hunter* Date *SEP 15 1900* 1900.
District *DELAWARE* Year *1900* Page *173* No. *200*
Citizen by blood *yes* / *50* Mother's citizenship
Intermarried citizen
Married under what law
License
Wife's name
District Year Page No.
Citizen by blood Mother's citizenship
Intermarried citizen
Married under what law Date of marriage
License Certificate

Names of Children:

| Dist. | Year | Page | No. | Age |
|-------|------|------|-----|-----|
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
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| Dist. | Year | Page | No. | Age |

William Hunter

1900

65)

Am

RECEIVED
 FEB 27 1902
 ACTING CHAIRMAN

Continental

Specified and sworn to before me this September 26, 1902.

fine and complete manuscript of his stenographic notes of the
 testimony and proceedings in this case and that the foregoing is a
 Commission to the said Officer to collect the necessary fees for
 W.D. Green, being that said sworn notes and stenographic to the

"R"

Cherokee D 412

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 25, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the
application of Caldeen Gunter for enrollment as a Cherokee citizen.

Appearances:

A.S. McKennon, South McAlester, I. T., attorney for
applicant, and applicant in person;
W.W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered
letter February 10, 1902, that his case would be taken up for
final consideration by the Commission on the 26th day of Feb-
ruary, 1902. Applicant this day appears in person and by
his attorney, A.S. McKennon, Esq., of South McAlester, I. T.,
and by special request and agreement with the representative
of the Cherokee Nation the case is taken up this day for con-
sideration.

CALDEEN GUNTER, being sworn and examined testified as
follows:

BY MR. McKENNON:

- Q What is your name? A Caldeen Gunter.
Q What is your age, Mr. Gunter? A 28.
Q What was your mother's name? A Nancy Gunter.
Q Is that the same Nancy Gunter whose name appears in the record
of the Cherokee Citizenship Commission? dated January 14, 1880? A
Yes sir.
Q What was your age at that time? A I guess I must have been
about seven years old I guess.
Q Your name is not mentioned in that record? A No sir.
Q Have you been since that time enrolled as a Cherokee citizen?
A Yes sir.
Q Have you been all the while recognized as a citizen of the
Cherokee Nation? A Yes sir.
Q Have you resided in the Cherokee Nation? A Yes sir.
Q For what length of time? A I don't remember, ever since I was a
boy; I don't remember the date; in '91 and '92 I went to school
at Tahlequah in the Nation, and then in '94 I have been making my
home at Sam Frasier's since 1894 and continuously up until my
father died, and I have been out temporarily tending to his estate;
I have power of attorney from the other members of the family.
I still hold my residence here; I have always voted in the Terri-
tory, and I don't ever vote or sit on the jury in the state; all my
effects are here in the Territory; everything I have individually
is in the Territory.
Q And has been ever since you were a boy? A Yes sir, and I have a
farm in Delaware District.
Q Your citizenship then has never been questioned by the Cherokee
authorities? A No sir.

W.W. Hastings waives cross-examination.

BY COMMISSION: Attorney for the applicant and the rep-
resentative of the Cherokee Nation submit the case to the Com-
mission and same is ordered closed and reported to the Commis-
sion for final decision, based upon the evidence now of record.
The attorney for the applicant will be given ten days in which
to file a brief in this case, a copy with the representative
of the Cherokee Nation and a copy with the Commission.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D. Green

Subscribed and sworn to before me this February 26, 1902.

C. A. Ruckelshaus

Commissioner.

"R"

File with Cherokee D-412, Caldeen Gunter

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 25, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Nancy Gunter for enrollment as a Cherokee citizen, Cherokee D-422.

Appearances:

A.S. McKennon, South McAlester, I. T., Attorney for the applicant;
W.W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter on February 10, that her case would be taken up for final consideration by the Commission on the 20th inst. She this day appears by her attorney, A. S. McKennon, of South McAlester, I. T., and by a special request, and agreement with the representative of the Cherokee Nation the case is this day taken up for consideration.

JOHN T. GUNTER, being sworn and examined, testified as follows:

BY MR. McKENNON:

- Q What is your name? A John T. Gunter.
Q What is your age? A 46.
Q Where do you live? A Vinita, Indian Territory.
Q How long have you lived in the Cherokee Nation? A Since '79.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q Have you held any office in the Cherokee Nation? A Yes sir.
Q What is it? A I was member of the Cherokee Senate at one time, elected in 1895.
Q Are you a son of Nancy Gunter? A Yes sir.
Q Is she living? A Yes sir.
Q About what is her age? A Near 70 years old I suppose, I don't know exactly.
Q Is she the same Nancy Gunter who was admitted to citizenship in the Cherokee Nation January 14, 1860? A Yes sir, that is my mother.

BY COMMISSION: It appears from the records of the Cherokee Nation that the following record appears in the docket of the Cherokee Commission on Citizenship:

"Commission on Citizenship, Case No. 5.

Mrs. Nancy Gunter, and children, Lula H. Curtis, Amanda O. Harris, Ann E. Chandler, J. T. Gunter and Lucy Jane Fortner,

vs

The Cherokee Nation.

(Petition for citizenship January 14, 1860.)

The evidence before the Commission on the above case shows to the satisfaction of the Commission that the said Nancy Gunter is a Cherokee by blood, also native born, and therefore it has been decided to admit the said Nancy Gunter and family, to-wit: Lula H. Curtis, Amanda O. Harris, Ann E. Chandler and John T. Gunter and Lucy Jane Fortner to all the rights and full privileges of Cherokee citizenship.

Roach Young, President Com.

William Harnage,

G. W. Hayes, Associate Com.

J.B. Hayes, Clerk Commission."

This entry appears upon page six.

- Q Are you the same J. T. Gunter whose name appears in that record?
A Yes sir.
Q Where is your mother now? A She is over in Arkansas, Benton County.

Q Did she ever reside in the Cherokee Nation? A Yes sir.

Q When? A She was born in the Old Nation.

Q Where? A In Georgia.

Q Very well, go ahead and make a statement.

BY MR. HASTINGS: I am going to object to any statement prior to this admission, because there is no need to go behind that.

Q When did she come to the Nation? A She came with the Old Settler Cherokees I think, about the year 1835, I have been told, I don't know as to that.

Q How long did she reside here then? A -

BY MR. HASTINGS: Comes now the Representative of the Cherokee Nation and protest against taking of any testimony prior to the date of the admission of the applicant to citizenship in the Cherokee Nation, to-wit: on January 14, 1890, because the same is irrelevant and immaterial. The certificate of admission clearly admits that the woman is a Cherokee by blood and upon that date was entitled to all the rights and privileges of any other Cherokee citizen, and therefore, it cannot be seen why it is pertinent to go behind that date.

BY MR. MCKENNON: This being admitted by the Representative of the Nation, I withdraw the question.

Q Now then after her admission, where has she resided? A Mostly in the State of Arkansas.

Q Did she have any property in the Nation at the time she was admitted? A Yes sir.

Q What? A Horses and cattle and little improvement in Cooweescoowee District.

Q An improvement upon lands? A Yes sir.

Q Did she retain that property in the Nation after her admission? A Yes sir.

Q Did she ever remove all of her effects out of the Nation after she was admitted? A Not after she was admitted, no sir. She has always had effects here since that time; her stock of cattle, branded "H.G."

Q Did she own a farm in the Nation? A At that time she was admitted she did not; she did after that.

Q For how long? A Well up to the present time.

Q She still holds a farm in the Cherokee Nation? A Yes sir.

Q Has she all the while been recognized as a Cherokee citizen? A Yes sir.

Q At the time of her admission did she have living any minor children whose names were not mentioned in the record of the Commission admitting her? A Yes sir, had three children.

Q What were their names? A Amy, Fannie, Caldeen.

Q What is Amy's name now? A Amy Frazier.

Q What is the name of her husband? A Samuel Frazier. Her name is Sarah A. Frazier.

Q Is that the same Samuel Frazier whose application is numbered 419? A I suppose it is, yes sir.

Q The other sister, whose name is Nannie A., who is she now? A Mrs. James Alfrey.

Q That the wife of James S. Alfrey? A Yes sir.

Q Who is Caldeen? A He is the youngest child of Nancy Gunter.

Q Are these all residing in the Cherokee Nation now? A Yes sir.

Q How long have they resided in the Cherokee Nation? A Since '28.

Q All the while? A Yes sir. My brother has been out now attending to some business of father's estate.

Q Put his residence is in the Cherokee Nation? A Yes sir.

Q Have these three since the admission of their mother been enrolled as Cherokee citizens? A Yes sir.

Q And always recognized as such? A Yes sir. Drew money in every payment; my brother Caldeen I think has voted a number of times in the Cherokee Nation; so has Mr. Frazier and Mr. Alfrey.

BY MR. HASTINGS:

- Q Your mother lives in Siloam Springs, Arkansas? A Yes sir, Siloam Springs, Benton County, Arkansas.
- Q She has always maintained a residence there? A Yes sir.
- Q When did she first purchase an improvement in the Cherokee Nation? A In the fall of 1880.
- Q Does she own the same improvement yet? A No sir, she does not own that same improvement yet.
- Q What disposition was made of the first improvement? A I sold it.
- Q When? A In 1882.
- Q When did she acquire another one? A In 1882, right away, Delaware District.
- Q The same year? A Yes sir.
- Q Has she that improvement yet? A Yes sir.
- Q Where is it located? A In Delaware District, Cherokee Nation.
- Q Your father is dead, I believe? A Yes sir.
- Q He died in Siloam? A Yes sir.
- Q Place your mother now lives? A Yes sir.
- Q Has Mrs. Alfrey continuously resided in the Cherokee Nation since 1888? A I don't know, I think maybe she has been out, once or twice.
- Q Has Mrs. Frazier continuously resided in the Nation since that time? A Yes sir.
- Q Has your younger brother Caldeen? A Yes sir.

BY MR. McKENNON: I will ask that a copy of that testimony be filed with each of the cases, No. D-412, case of Caldeen Gunter, D-419, case of Samuel Frazier and others and D-315, case of James S. Alfrey, and others.

BY COMMISSION, of Mr. McKennon: You are representing these four cases are you? A Yes sir.

BY COMMISSION: The request of the attorney for the applicants will be complied with, and the testimony made a part of the record in the cases mentioned.

Attorney for the applicant, Nancy Gunter, and Representative of the Cherokee Nation submit the case to the Commission and same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant will be given ten days in which to file a brief, one copy with the Representatives of the Cherokee Nation and one copy with the Commission.

L. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

L. D. Green

Subscribed and sworn to before me this February 25, 1902.

C. R. McWilliams

Commissioner.

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D 412

Caldeen Ginter

Application for
enrollment as

Cherokee Citizens

Director of Applicants

A S Maxammon

Director of Applicants

Before the Honorable Commission to the
Five Civilized Tribes, at Muskogee, I. T.

In Re application of Caldeen Gunter for enrollment as a Cherokee
citizen, D-412.

The record of the Cherokee Citizenship Commission,
January, 14, 1880, is as follows:

"Commission on Citizenship, Case No. 5.
Mrs. Nancy Gunter, and children, Lula H. Curtis, Amanda O.
Marrs, Ann E. Chandler, J. T. Gunter and Lucy Jane Fortner,
vs
The Cherokee Nation.

(Petition for citizenship January 14, 1880.)

The evidence before the Commission on the above case
shows to the satisfaction of the Commission that the said
Nancy Gunter is a Cherokee by blood, also native born, and
therefore it has been decided to admit the said Nancy
Gunter and family, to-wit: Lula H. Curtis, Amanda O. Marrs,
Ann E. Chandler and John T. Gunter and Lucy Jane Fortner to
all the rights and full privileges of Cherokee citizenship.

Roach Young, President Com.

William Varnage,

G. W. Mayes, Associate Com.

J. B. Mayes, Clerk of Commission."

This judgement admits to citizenship Nancy Gunter,
and her children named therein, but as the record in this case
shows, the names of Amy, Fanny and Caldeen, who were at that time
minors, were omitted. It was the practice to admit by name the
parents and their children, who were of age, omitting the names
of the minor children, it being unnecessary, under Cherokee laws
and customs, to mention their names in the judgement or act
admitting the parents. Were this not so, the enrollment of such
persons is fully provided for, authorized and required by the
first paragraph of Section 21 of the Act of Congress of June 20,
1898, known as the

Curtis Act, which is as follows:

"That in making rolls of citizenship of the several tribes, as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of eighteen hundred and eighty(not including freedmen) as the only roll intended to be confirmed by this and preceeding Acts of Congress, and to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws."

The applicant in this case, Caldeen Gunter, as shown by the record, was at the time of the admission of his mother some six or seven years of age. His name appears upon the Cherokee roll of 1894, for Delaware District, page 397, No. 1173, as Calle D. Gunter. That this was intended as the enrollment of Caldeen Gunter is not questioned. On the Cherokee roll of 1896, for Delaware District, page 573, No. 200, his name appears, properly, as Caldeen Gunter. When he appeared before the United States Commission for enrollment, September 25, 1900, he was 26 years of age. He then stated that he had been residing in the Cherokee Nation since 1892. He, therefore, settled in the Cherokee Nation as a citizen when he was 18 years of age, and he has been residing there, continuously, ever since; and "All the while recognized as a citizen of the Cherokee Nation." He says that he has been residing in the Cherokee Nation since he was a boy, and that, in 1891 and 1892, he attended the Cherokee school at Talleguah, and has resided in the Cherokee Nation since

then, continuously, until the present time, and still holds his residence there; that he always voted in the Cherokee Nation, and never voted ~~or~~ on a jury in any state. That under power of attorney from other parties he has been temporarily in the state of Arkansas looking after the estate of his father.

The record of the readmission of his mother admits that she "is a Cherokee by blood, also native born", for which reason it was "decided to admit the said Nancy Gunter and family", naming her older children; but, as before stated, omitting the names of this applicant and his two sisters, Amy and Fanny.

The testimony of John T. Gunter, in case of Nancy Gunter, D-422, is filed with, and made a part of, this case. See testimony in said case.

There can certainly be no question as to the right of applicant to enrollment as a Cherokee citizen.

Respectfully submitted,

A. S. McCremon
Atty. for Applicant

No. Cherokee D 412.

Caldeen Gunter.

Brief of the Cherokee Nation.

DEPARTMENT OF THE INTERIOR,

Commissioner of the Five Civilized Tribes,

Muskogee, Indian Territory April 9th 1901.

Cherokee D 412.

In the matter of the application of Caldeen Gunter for enrollment as a citizen of the Cherokee Nation.

Brief of the Cherokee Nation.

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The applicant Caldeen Gunter is a son of Nancy Gunter who is listed for enrollment on Cherokee Doubtful Card No 422. His mother was readmitted to citizenship on January 14th 1880 but never perfected her citizenship by removing to and locating within the limits of the Cherokee Nation. As shown in her testimony she has continuously resided in Benton County Arkansas, from the date of her readmission, where this applicant was born until the present time and where the applicants father died a short time ago; there is an elementary principal of law that the domicile of the ~~parent~~ children is the domicile of the parent and if Nancy Gunter who has been enrolled on Cherokee Doubtful Card No 422 is not entitled to be enrolled as a citizen of the Cherokee Nation we can not see how under the ~~law~~ the Commission can enroll the applicant.

Reference is made to the proof filed in the case of Nancy Gunter Number Cherokee D 422.

Respectfully submitted,

Attorney for the Cherokee Nation.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Caldeen Gunter for the enrollment of himself as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on September 25, 1900, the applicant, Caldeen Gunter, appeared before the Commission at Vinita, Indian Territory, and then and there made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation. Further evidence was submitted in this case on February 25, 1902, at Muskogee, Indian Territory.

It appears from the evidence in support of this application and from the records of the Cherokee Nation in possession of this Commission that Nancy Gunter, the mother of the applicant, Caldeen Gunter, was admitted to citizenship in the Cherokee Nation on January 4, 1880, and that the applicant, Caldeen Gunter, was at that time a minor and that he has been a resident of the Cherokee Nation since childhood. He is identified on the 1894 Pay Roll of the Cherokee Nation, page 397, No. 1173 and on the 1896 Census Roll of the Cherokee Nation, page 573, No. 200.

The authority of the Commission herein is defined in Par. 1, Sec. 21, of the act of Congress, June 28, 1898 (30 Stats., 495).

It is therefore the opinion of this Commission that Caldeen Gunter is lawfully entitled to be enrolled as a member by blood of the Cherokee Tribe of Indians in Indian Territory, and that the application for his enrollment as such should be granted, and

Cherokee-D-412

it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.


Commissioner.

Muskogee, Indian Territory,

this DEC 10 1902

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,

Vinita I. T. December 27th 1902.

In the matter of the application of Caldeen Gunter for enrollment as a
citizen of the Cherokee Nation.

Cherokee D 412.

Comes now the Cherokee Nation and moves the Commission to set aside
its judgment rendered ~~hereinbefore~~ in this case on December 10th 1902
and to set the case down for further hearing at some convenient date at
Vinita I. T. in order that the Cherokee Nation be permitted to introduce
further testimony as to applicants residence.

The Cherokee Nation expects to prove by Samuel Frazier, ~~Marshall~~
A. K. Wright
and other witnesses that applicants father died in March 1898 and that
since that time the applicant has been a continuous resident of the
State of Arkansas.

^{motion}
This ~~affidavit~~ is not made for the purposes of delay but that justice
be done.

Respectfully submitted,

W. H. Frazier
Attorney for the Cherokee Nation.

Cherokee D-412.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Caldeen Gunter
for enrollment of himself as a citizen by blood of the
Cherokee Nation.

O R D E R

-:o:-

It appears from the record in this case that a decision was rendered by the Commission on the 10th day of December, 1902, enrolling the applicant as a citizen by blood of the Cherokee Nation. Thereafter, on the 12th day of January, 1903, the Cherokee Nation filed a motion to set aside said judgment and to re-open the case for the purpose of submitting additional testimony tending to disprove the applicant's right to enrollment.

It appears, from the grounds alleged in said motion, that the same is well taken and it is, therefore, ordered by the Commission that the said motion be, and the same is hereby sustained, and the said judgment of December 10, 1902, be, and the same is hereby set aside, and that the case be re-opened for the taking of additional testimony, to be heard at the office of the Commission in Vinita, Indian Territory, at such date as may be hereafter fixed, upon notice being given by the Cherokee Nation.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

this MAR 19 1903


Commissioner.

FILED
MAR 8 1905
COMMISSION TO FIVE TRIBES.

COMMISSIONER OF THE INTERIOR,
COMMISSIONER OF THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, March 6, 1905.

In the matter of the application for the enrollment of
Valdean Hunter as a citizen of the Cherokee Nation.

On December 10, 1902 the Commission rendered a judgment in
the matter of this application, and on December 27, 1902 the
Attorneys for the Cherokee Nation filed a motion to reopen the case;
and on March 20, 1903, William W. Hastings, attorney for the
Cherokee Nation, was notified that his motion, to reopen the case,
was granted. He was then informed that he would be allowed to
introduce additional testimony.

Up to this date no testimony has been offered.

H E I D O P E N.

Eula Jeanes Branson, being first duly sworn, states that, as
stenographer to the Commission to the Five Civilized Tribes, she
reported all proceedings had in the above entitled cause on the
6th day of March, 1905, and that the above and foregoing is a full
and complete transcript of her stenographic notes taken in said
cause on said date.

Eula Jeanes Branson

Subscribed and sworn to before me this the 7 day of March, 1905

Myron White
Notary Public.

REPORT OF THE COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS
TO THE SECRETARY OF THE INTERIOR

-500-

In the matter of the application for the enrollment of
Caldeen Gunter, as a citizen by blood of the Cherokee Nation.


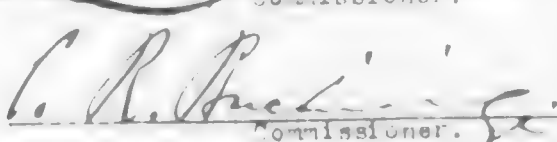
---: DECEMBER 10, 1902:---

It appears from the record in this case that on September 25, 1900, Caldeen Gunter appeared before this Commission at Vinita, Indian Territory, and made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation. Additional proceedings were had in the matter of said application at Muskogee, Indian Territory, on February 25, 1902. There has been filed for record in this case a copy of the testimony taken at Muskogee, Indian Territory, February 25, 1902, in the matter of the application of Nancy Gunter, for enrollment as a citizen by blood of the Cherokee Nation, Cherokee N-422, and also briefs on behalf of the applicant and the Cherokee Nation, filed on March 10, 1902, and April 10, 1902, respectively.

On December 10, 1902, the Commission rendered its decision in the matter of the above application, enrolling Caldeen Gunter as a citizen by blood of the Cherokee Nation. Thereafter, on January 12, 1903, the Cherokee Nation filed a motion to set aside said decision and to re-open the case for the purpose of submitting additional testimony tending to disprove the applicant's right to enrollment. On March 12, 1903, the Commission granted said motion and ordered that the decision heretofore rendered be set aside and that the case be re-opened for the taking of additional testimony, to be heard at the office of the Commission at Vinita, Indian Territory, upon notice being given by the Cherokee Nation. Copy of said order was forwarded to W. W. Hastings, Attorney for the Cherokee Nation, on March 20, 1903. The Cherokee Nation has, however, failed to furnish any additional evidence.

It is therefore the opinion of this Commission that its decision of December 10, 1902, wherein the application of Caldeen Gunter, for enrollment as a citizen by blood of the Cherokee Nation, was granted, should be affirmed, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman

Commissioner.

Muskogee, Indian Territory,

APR 19 1905

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COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

FEB 1 1902

[Handwritten signature]

COMMISSIONERS
HENRY L. DAWES
TAMM BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON I. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

AL. MASS. SIXTY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory.

February 10th,

1902.

Mr. Caldean Gunter,

Vinita, Indian Territory,

Sir:-

You are hereby notified that the application of

yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

26th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certificate of readmission.

Cherokee D-612
Register.

Yours truly,

Acting Chairman.

Cherokee D-412.

Muskogee, Indian Territory, December 15, 1902.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting the application of Caldeen Gunter for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. H-221.

Cherokee D-412

Muskogee, Indian Territory, March 30, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of an order of the Commission to the Five Civilized Tribes, dated March 19, 1903, sustaining your motion of January 12, 1903, to reopen Cherokee doubtful case D-412, Caldeen Gunter.

Your attention is called to the fact that this order gives you permission to introduce additional testimony at the office of the Commission in Vinita, Indian Territory, upon due notice being given to the applicant.

Respectfully,

Chairman.

Enc. M-250

COPY.

Cherokee D-412.

Muskogee, Indian Territory, April 19, 1905.

W. V. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 19, 1905, adhering to its decision of December 10, 1902, granting the application for the enrollment of Caldeen Gunter as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. 3-15.

SIGNED,

James Bixby.
Chairman.

COMMISSIONERS
JAMES HIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

2000
CHEROKEE D-412.
COVER IN REPLY TO THE FOLLOWING.

WM O BEALL,
Secretary

Muskogee, Indian Territory, May 16, 1905.

Caldeen Gunter,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 19, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-106.


Chairman.

COPY

Cherokee D-412.

Muskogee, Indian Territory, May 16, 1905.

A. S. McFennon,

Attorney for Caldeen Gunter,

South McAlester, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 19, 1905, granting the application for the enrollment of Caldeen Gunter as a citizen by blood of the Cherokee Nation.

Respectfully,

Incl. L-107.

(SIGNED)

Tamc Bixby.
Chairman.

100

COMMISSIONERS
HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Wilmington N.C. Feb. 27 1907

Received of the Commission to the Five Civilized Tribes
one copy of the testimony in the matter of the application of
Walter S. Senter for enrollment as
~~member~~ of the Cherokee Nation.

Witness my hand.

A. S. McKeown

Atty. Gen. S. J. McKeown

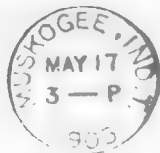
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Department of the Interior

Commission to the Five Civilized Tribes

MUSKOGEE, IND. TER



Cher 10888

Lula McCarter

Cher 10888

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

✓

223

Record in the matter of the application for the enrollment
as a citizen by blood of the Cherokee Nation of:

Lula McGarter ----- Cherokee-D-1336.

~~813369346~~

U.S. DEPT. OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUL 25 1902


CHIEF CHAPMAN

CHIEF CHAPMAN

WHA
Cher

Department of the Interior,
Commission to the Five Civilized Tribes,
Wauhatchau, I. T., June 11, 1902.

In the matter of the application of Katie Rider for the enrollment of her daughter Lula McCarter, as a citizen of the Cherokee Nation:

KATIE RIDER, being duly sworn, and examined by the Commission, testified as follows:

- Q What is your name ? A Katie Rider.
Q What is your age ? A 38.
Q What is your post office address ? A Wauhatchau, I. T.
Q Are you a white woman ? A Yes sir.
Q Do you claim to be a citizen by intermarriage of the Cherokee Nation ? A Yes sir.
Q In what district do you reside ? A Tahlequah.
Q For whom are you now making application ? A Lula McCarter.
Q Is Lula McCarter living ? A Yes sir.
Q Is she related to you ? A Yes sir she's my daughter.
Q Is she a Cherokee by blood ? A Yes sir.
Q What degree of Cherokee blood do you claim for her ?
A She's a half blood.
Q Has she ever been recognized as a citizen by the tribal authorities of the Cherokee Nation ? A Yes sir.
Q Does her name appear upon the tribal rolls of the Cherokee Nation ? A Yes sir.
Q What is the name of her father ? A John McCarter.
Q Is he living ? A No sir, he's dead.
Q Was he a full blood Cherokee ? A Yes sir.
Q In what district did he reside ? A Tahlequah.
Q Has your daughter Lula McCarter resided in the Cherokee Nation all her life ? A Yes sir.
Q What is her age ? A 16 years old.
Q In what district does she reside ? A Tahlequah.
Q What is her post office address ? A Wauhatchau, I. T.
Q Does your daughter Lula McCarter live with you ? A Yes sir.
Q Were you married to John McCarter ? A No sir.
Q Did you live with him as his wife ? A Yes sir.
Q How long ago was it that you first began to live with John McCarter ? A About 17 years ago.
Q Was it the custom at that time in the Cherokee nation to procure a marriage license and get a marriage certificate ?
A Some did that and some didn't.
Q Were you separated from John McCarter ?
A He just left me.
Q Was it your fault or his that you were separated ? A It was his
Q About how long was it that he left you ? A About 11 years ago.
Q Then you married Wilson Rider after John McCarter left you ?
A Yes sir.
Q Were you previously married to anyone before you lived with John McCarter ? A I lived with Nels Crittenden.
Q How long did you live with him ? A Five years.
Q Did you have any children as a result of your marriage to Nelson Crittenden ? A Yes sir, two of them.
Q Is Nelson Crittenden now living ? A Yes sir.
Q Is he a full blood Cherokee ? A He is not quite a full blood.
Q What degree of Cherokee blood has he ?
A About three-quarters.
Q Did Nelson Crittenden leave you or you him ?
A He left me.
Q Was it his fault or yours ? A He just went off and left me and the child.

Q Did he take up with another woman ? A Yes sir.
 Q Had John McCarter been married to anyone previous to his marriage to you ? A He had a wife but she was dead then.
 Q Had his wife died before he married you ? A Yes sir.

--The 1896 Cherokee roll examined and the name of Lula McCarter is found and identified thereon as Lula McCarter, at page 1214, # 2277, Tahlequah District;

--The 1880 Cherokee roll examined and the name of the father of Lula McCarter is found and identified thereon as John McCarty at page 780, # 1338, Tahlequah District;

The Commission: It will be necessary for you to furnish proof by two reputable witnesses, who are citizens of the Cherokee Nation to establish the fact of the common law marriage of Katie Rider and John McCarter, before the enrollment of your daughter Lula McCarter as a citizen of the Cherokee Nation can be completed.

E. C. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell

Subscribed and sworn to before me this JUL 15 1902, 1902.

R. O. Renter

~~1336~~

9346

60MM

FIELD

101 1902

~~1336~~

Sahlequah **CHEROKEES BY BLOOD AND ADOPTION.**

Date *September 1901*

1901

Name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood *yes*

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Dist.

Year

Page

No. Age

Dist.

Year

Page

No. Age

Dist.

Year

Page

No. Age

Dist.

Year

Page

No. Age

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Year

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No. Age

Dist.

Year

Page

No. Age

Dist.

Year

Page

No. Age

No. on 1890 roll - John McArthur -

Evidence of marriage of parents is supplied

No. of a higher mother, John Pader

COMMISSION TO THE ...
FILED
JUN 14 1902

RESIDENCE:

POST OFFICE:

Tablequah Dist
Wauhatchee S.S.

Party # 2
CHEROKEE NATION.

CHEROKEE ROLL.

CARD NO.

FIELD NO.

VS 13

| Dawes' Roll No | NAME | Reasons why to Person Not Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | Name of Father | Year | TRIBAL ENROLLMENT OF PARENTS | | | |
|----------------|-----------------|---------------------------------|-----|-----|-------|-------------------|-----------|------|----------------|------|------------------------------|----------------|------|-----------|
| | | | | | | Year | District | No | | | District | Name of Mother | Year | District |
| | Mc Carter, Lula | | 16 | F | 1/2 | 1896 | Tablequah | 2277 | John M Carter | 1896 | Tablequah | Katie Rider | 1896 | Tablequah |
| 2 | | | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | | | |
| 4 | | | | | | | | | | | | | | |
| 5 | | | | | | | | | | | | | | |
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| 9 | | | | | | | | | | | | | | |
| 10 | | | | | | | | | | | | | | |
| 11 | | | | | | | | | | | | | | |
| 12 | | | | | | | | | | | | | | |
| 13 | | | | | | | | | | | | | | |
| 14 | | | | | | | | | | | | | | |
| 15 | | | | | | | | | | | | | | |
| 16 | | | | | | | | | | | | | | |
| 17 | | | | | | | | | | | | | | |
| 18 | | | | | | | | | | | | | | |

Not on 1896 roll as Lula M Carter
Enrolled by the mother, Katie Rider

Evidence of marriage of parents to be supplied

June 11 1902

See 15 11 1912 + 246

Document D-1336, 1334 & 1335.
DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
CHEROKEE NATION,
Tahlequah, I. T., January 10, 1905.

On the 10th day of January 1905, the following was sworn to as a citizen of the Cherokee Nation at Tahlequah, Cherokee Nation.

SUBJECT: NATALITY.

Lula Stoo, born and residing in the Cherokee Nation, was sworn to before the Commission, Tahlequah, I. T., as follows:

(Through sworn official interpreter Wm. E. Brown).

- Q What is your name? A Lula Stoo.
Q How old are you? A 14.
Q What is your postoffice? A Proctor.
Q Did your postoffice use to be Wauhatchie? A Yes sir.
Q Have you married since application was made for your enrollment?
A Yes sir.
Q What is the name of your husband? A Adam Stoo.
Q Is he a Cherokee by blood? A Yes sir.
Q When were you married? A About 3 months ago.
Q About September or October? A I didn't pay any attention to what month it was.
Q It was this last Fall? A Yes sir.
Q Are you and he living together now? A Yes sir.
Q Did you ever make your home outside of the Cherokee Nation?
A No sir.
Q What is the name of your father? A John McCarty.
Q He is dead, is he? A Yes sir.
Q Is he a Cherokee by blood? A Yes sir.
Q In what district did he live when he was alive? A Tahlequah.
Q Have you some brothers and sisters? A Yes sir.
Q Give some of their names? A Mary, Jack, Annie, Jency and Fannie.
Q Did you know a Nancy McCarty? A I think so.
Q What was she? A I can't tell you exactly who it was.
Q Was your father married to a woman before he married your mother?
A Yes sir.
Q What is her name? A Anna.

It appears from an examination of a copy of the authenticated roll of 1890 of citizens by blood of the Cherokee Nation, which copy was formerly in the possession of the representatives of the Cherokee Nation, that the father of the applicant is duly identified therein (page No. 14) as John McCarty, a native Cherokee, 34 years of age, being identified therein with the members of his family.

Q Did you live with your father continuously until the time of

Q Did you ever live in his family? A No sir, I didn't live with him.
 Q When I was a boy, I was with them.
 Q Were you ever married? A Yes sir.
 Q Were they living together at the time of his death? A No sir.
 Q Did you ever see him in 1894? A Yes sir.

Adam Stop, being sworn and examined, testified as follows:

Q What is your name? A Adam Stop.
 Q How old are you? A 36.
 Q What is your postoffice? A Procter.
 Q Are you a full blood Cherokee? A Yes sir.
 Q Is this your wife? A Yes sir.
 Q Did you know her mother? A No sir.
 Q Did you know her father? A Yes sir.
 Q Do you know anything of their marriage? A No sir.
 Q Did your wife live in the family of John McCarter during his life time? A I don't know.
 Q Do you know whether he always recognized her as his child?
 A I don't know.

James W. Duncan, being sworn and examined by the Commission, testified as follows:

Q What is your name? A James W. Duncan.
 Q How old are you? A 41.
 Q What is your postoffice? A Tahlequah.
 Q Are you a Cherokee by blood? A Yes sir.
 Q Do you know the applicant in this case? A Yes sir.
 Q How long have you known her? A About 7 years.
 Q During that time has she been recognized as a citizen by blood of the Cherokee Nation? A Yes sir, I have so understood it.
 Q Did you know her father during his life time? A Yes sir.
 Q Was he a recognized citizen by blood of the Cherokee Nation?
 A Yes sir.
 Q Do you know the mother of the applicant? A Yes sir.
 Q Do you know anything of their marriage? A No sir, I don't.
 Q Did John McCarter always recognize the applicant as his daughter?
 A I am almost positive he told me at one time that this was his

FILED
JAN 1 1905
COMMISSION TO FIVE TRIBES.

Mar. 1911.

1st Lieut, 1st Regt, re-called.

- Q Have you a half-sister named Nell Crittenden? A Yes sir.
Q Is she living? A Yes sir.
Q Is her father named Nelson Crittenden? A Yes sir.
Q Is he a Cherokee by blood? A Yes sir.

William Crittenden, born born in Georgia, was sworn in before the Commission, testified as follows:

- Q What is your name? A William Crittenden.
Q How old are you? A About 41 years old.
Q What is your position? A Tahlequah.
Q Are you a Cherokee by blood? A Yes sir.
Q Do you know John McArthur, who married Lula Stop, wife of Adam Stop? A Yes, I know her.
Q Was she a daughter of John McArthur? A Yes, John told me that was his daughter when he was living.
Q Did you live neighbor to them? A Yes sir.
Q The mother of the child is named Katie? A Yes, Katie Crawford now.
Q Was her name Katie Miller? A They used to call her Katie Mart.
Q Do you know whether John and Katie were married or not?
A I can't say.
Q Do you know how long they lived together? A No, I don't know exactly.
Q Did they live together according to Cherokee law? A I don't know about that.
Q Did John always recognize this Lula as his daughter? A Yes, I heard him say himself that it was his daughter.
Q Was he a full blood? A Yes sir.
Q He was always recognized as a citizen? A Yes sir.
Q Do you know Nannie Crittenden, daughter of Nelson Crittenden and Katie? A Yes sir.
Q Is she living? A Yes sir.
Q Is she related to you? A Yes sir.
Q What relation is Nelson Crittenden, her father, to you?
A About one cousin I guess.
Q Does he recognize Nannie Crittenden as his daughter? A Yes.
Q Does she live in his family? A No.
Q In what district has Nelson Crittenden lived for the last several years? A In Coconawaw District.
Q Do you know a Mary Crittenden, daughter of Nelson Crittenden?
A I don't know.
Q Do you know Sam Crittenden? A Yes sir.

Q Who is he? A He is Nels Crittenden's son.

Q Did he have children named Cynthia and Charles Crittenden?

A They was Nels Crittenden's children, Sam, Cynthia and Charles.

It appears from an examination of a copy of the 1880 authenticated roll of citizens by blood of the Cherokee Nation, which copy was formerly in the possession of the representatives of the Cherokee Nation, that the name of the father of Annie Crittenden, who is listed for enrollment on Cherokee card, Field No. D-1325, is identified thereon on page No. 452 as Nelson Crittenden, a native Cherokee, 23 years of age.

Q Has Nelson Crittenden lived in the Cherokee Nation continuously all of his life? A Yes sir.

Q Have these children, Lula McCarter and Nannie Crittenden, always been recognized as Cherokees by blood? A Yes sir.

Q Do you know whether they have drawn money? A I believe they did.

I, May Hudson, state upon oath that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the supplemental testimony in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

May Hudson

Subscribed and sworn to before me this 11th day of January, 1905.

Emmanuel Forman
Notary Public.

In the case of the application for the enrollment of
Lula McCarter, Cherokee Nation.

The record in this case shows that on June 11, 1902
Yatis Kiser appeared before the Commission, at Tahlequah, Indian
Territory, and made application for the enrollment of Lula McCarter
as a citizen of 1900 of the Cherokee Nation. Further proceedings
were had in the matter of this application at Tahlequah, Indian
Territory on January 10, 1905.

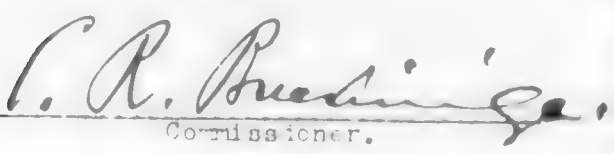
The evidence in this case shows that the applicant,
Lula McCarter, is a Cherokee by blood; and that her father, John
McCarter, deceased, is duly identified upon the 1900 authenticated
Cherokee Roll. The evidence further shows that Lula McCarter has
always lived in the Cherokee Nation, and, under the name of Lula
McCarter, is identified upon the 1900 Cherokee Census Roll.

It is, therefore, the opinion of this Commission that
✓ Lula McCarter should be enrolled as a citizen by blood of the
Cherokee Nation, in accordance with the provisions of Section
twenty-one of the act of Congress approved June 28, 1898 (30 Stat.,
495), and it is so ordered.

COMMISSIONER OF THE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

APR 20 1905

Cherokee D-136.

Muskogee, Indian Territory, January 13, 1905.

Katie Rider,

Wauhillon, Indian Territory.

Dear Madam:

In the matter of your application for the enrollment of your minor daughter, Julia McCarter, as a citizen by blood of the Cherokee Nation, you are advised that the Commission desires further testimony as to the citizenship of John McCarter, the father of the said Julia McCarter, and as to whether or not his name appears upon the 1880 authenticated Cherokee Tribal Roll.

You are, therefore, hereby directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Thursday, February 2, 1905, and introduce testimony as above requested.

Respectfully,

Register.

Tame Kirby
Chairman.

COPY

Cherokee D-1336.

Muskogee, Indian Territory, April 20, 1906.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 20, 1906, granting the application for the enrollment of Lula McCarter as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

SIGNED. *Tama Firby.*
Chairman.

Incl. 3-43.

COMMISSIONERS
TAMS HIXBY,
THOMAS B REEDIES,
C R BRECKINRIDGE

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cherokee D-1336.

WM O REALL,
Secretary

Muskogee, Indian Territory, May 16, 1905.

Lula McCarter,

Wauhatchie, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 20, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-103.


Chairman.



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

UNCLAIMED



Cher 10889

Charles Lee Fool

Cher 10889

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment
as a citizen by blood of the Cherokee Nation of:

Charles Lee Pool ----- Cherokee-R-75.

000---000---000---000---000

R75-

DEPARTMENT OF
COMMISSIONER
F I L E D
SEP 12 1900

JOSEPH O'BRIEN, I. T. AUGUST 30, 1900.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

Witness, testified as follows:
Charles Jackson, is my orphan child, Charles Lee Wolf, as a citizen of the
enrollment, in the district of the obligation of Daniel R. Weaver, for the

Q Did she give any other information?
A When did he die? V That spring - the child was born in April.
Q Is he living or dead? V Dead after.
Q Is he living or dead? V Living.
Q Is he an Indian or a white man? V Indian.
Q What's the name of the child's father? V Jack Wolf.
Q On the roll, page 30, number 100, as Charles L. Wolf.
A Yes, I saw
Q Put on at the roll.
Q You think this child is on the census roll of 1890? V Yes, I saw
Q Was she ever married to a Cherokee? V No sir.
Q She was a Cherokee by blood? V No sir, she was a white woman.
Q How old was she when she died? V 33 I think.
Q How long has she been dead? V Since September this year.
Q Never told me the name of her mother? V No sir.
Q What was the name of her mother? V Mary B. Weaver.
Q You say that this is an orphan child? V Yes.
Q Is he on the roll of 1890? V Yes.
Q How old is the child? V Four years old.
Q How do you make this statement? V Charles Lee Wolf.
Q Your statement is true?
A Yes, sir.
Q What is your name? V Daniel R. Weaver.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
FORT GIBSON, I.T., AUGUST 20, 1900.

In the matter of the application of Nancy R. Weaver for the enrollment of an orphan child, Charles Lee Pool, as a citizen of the Cherokee Nation, said ~~Nancy~~ Weaver being sworn by Commissioner Breckinridge, testified as follows:

Q What is your name? A Nancy R. Weaver.
Q Your age? A 52.
Q Your postoffice? A Starvilla.
Q Your district? A Canadian.
Q For whom do you make application? A Charles Lee Pool.
Q How old is the child? A Four years old.
Q Is he on the roll of '96? A Yes.
Q You say that this is an orphan child? A Yes.
Q What was the name of his mother? A Lina B. Weaver.
Q Never bore the name of Pool? A No sir.
Q How long has she been dead? A Since February this year.
Q How old was she when she died? A 23 I think.
Q She was a Cherokee by blood? A No sir, she was a white woman.
Q Was she ever married to a Cherokee? A No sir.
Q You think this child is on the census roll of '96? A Yes, I saw it put on at the Falls.

On '96 roll, page 25, number 700, as Charles L. Pool.

Q What is the name of the child's father? A Jack Pool.
Q Is he an Indian or a white man? A Indian.
Q Is he living or dead? A Dead, after
Q When did he die? A That spring, the child was born in April.
Q Did she live with this child's father as his wife? A She had the child by him.
Q Was he married to anybody else? A yes, he was married to another woman.
Q He did not claim this woman as his wife? A No sir.

It is shown by the testimony that this child was not born in wedlock. Its mother was a white woman and no claim is made that she had rights as a Cherokee citizen by any form of adoption or of inter-marriage. Jurisdiction is given to the Commission by the fact that the child was enrolled in '96, but it cannot claim through its mother as she possessed no rights, the application for the enrollment of the child is rejected.

The undersigned, being first duly sworn, states that as Stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a full and complete transcript of his stenographic notes thereof.

Brown McDonald
Subscribed and sworn to before me this 7th day of September, 1900.

[Signature]
Commissioner.

R75

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

AUG 20 1900



ACTING CHAIRMAN

19000

...

Mother — citizen link

Date of marriage

Certificate

~~Certificate~~

~~Year~~

~~citizenship~~

No.

Mother's citizenship

Date of marriage

Certificates

Names of Children:

[illegible]

Department of the Interior,
Commission to the Five Civilized Tribes.

In the matter of the application of Nancy R. Weaver for the enrollment of Charles Lee Pool as a citizen of the Cherokee Nation.

D E C I S I O N.

On the 20th day of August, 1900, Nancy R. Weaver appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of Charles Lee Pool as a citizen of the Cherokee Nation.

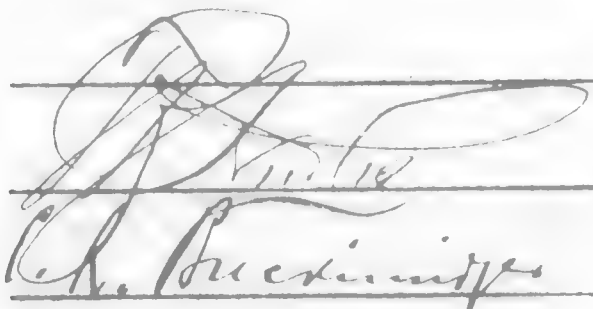
It appears from the evidence in this case that the said Charles Lee Pool is the illegitimate child of Jack Pool, a Cherokee Indian, and Lina B. Weaver, a white woman, not a citizen of the Cherokee Nation, and that the said Jack Pool and the said Lina B. Weaver were never legally and lawfully married.

The name of Lina B. Weaver does not appear upon any of the tribal rolls of the Cherokee Nation now in the possession of this Commission. The name of Charles Lee Pool appears upon the Cherokee Census Roll of 1896 as Charles L. Pool.

It is therefore the opinion of this Commission that the evidence fails to establish that the said Charles Lee Pool is the legitimate child of Jack Pool, a Cherokee, and entitled to enrollment as his descendant; that the said Charles Lee Pool is not a recognized citizen of the Cherokee Nation, and that the application of Nancy R. Weaver for the enrollment of Charles Lee Pool as a citizen of the Cherokee

2.

Nations should be denied, and it is so ordered.



C. H. Buckinridge

Dated at Muskogee, Indian Territory,
this ___ day of _____, 1908.

FILED
DEC 10 1904
COMMISSION TO FIVE TRIBES.

WILLIAM H. WEAVER, JR.,
Starville, Cherokee Nation, Dec. 11, 1944.

I am a resident of the Cherokee Nation, and I am the father of Charles Lee Fool, who was born in the Cherokee Nation, and who died in the Cherokee Nation.

- Q What is your name? A William H. Weaver, Jr.
- Q What is your age, Mr. Weaver? A 33.
- Q What is your present place of residence? A Starville.
- Q Are you a Cherokee by blood? A Yes, sir.
- Q Are you acquainted with a child by the name of Charles Lee Fool? A Yes, sir.
- Q How old is that child, Mr. Weaver? A The child, if he had lived would have been 7 or 8, I wouldn't say just exactly.
- Q Charles Lee Fool is dead is he now? A Yes, sir.
- Q When did he die? A I couldn't tell you positive, but he died somewhere about two years ago, maybe a little over.
- Q Was Charles Lee Fool any relation of yours? A A nephew of mine.
- Q What was the nationality of Charles Lee Fool? His father was a full blood Cherokee, his mother was a white woman.
- Q Then Charles Lee Fool was a half blood Indian? A Yes, sir.
- Q Was the mother of Charles Lee Fool your sister? A Yes sir.
- Q She possessed no Cherokee blood? A No, sir.
- Q Was she married to the father of Charles Lee Fool? A No sir.
- Q Did they live together as husband and wife? A Not that I know of.
- Q Where was your sister living when Charles Lee Fool was born? A She was living with father.
- Q Whereabouts? A On my farm down east of Starville, about two miles southeast.
- Q In the Cherokee Nation? A Yes sir.
- Q Who was the father of Charles Lee Fool? A Jack Fool.
- Q He was considered a full blood Cherokee? A Yes, sir.
- Q You say your sister never lived with Jack Fool as his wife? A No, not that I know of.
- Q And there is no claims made that they were married? A No, sir.
- Q This child is an illegitimate child of your sister and Jack Fool? A Yes, sir.
- Q Where did Charles Lee Fool live from the date of his birth until he died? A After the child was born my sister still remained with her father until his death and they moved from there upon another place in the mountains.
- Q Is the mother of Charles Lee Fool dead? A Yes, sir.
- Q When did she die? A About four years ago.
- Q This child always lived in the Cherokee Nation? A Always lived there from the time he was born until he died.
- Q With whom did he live after the death of his mother? A His grand-mother.
- Q His mother's mother? A Yes, sir.
- Q Is the father of Charles Lee Fool living? A No, sir.
- Q When did he die? A He was killed a little while after the baby was born, about six months.
- Q Was Jack Fool married at the time this child was born? A Yes.
- Q He had a wife living at that time? A Yes sir.
- Q Did you ever talk with Jack Fool with reference to his being the father of the child? A Yes sir.
- Q What did he say? A He said he expected it was his child, he guessed it was his child.

- Q What is the grandmother's name? A Nancy R. Weaver.
Q Is she living? A Yes sir.
Q What was your sister's name, the mother of Charles Lee Fool?
Lina Bell.
Q Did Jack Fool ever make any provision for the support of this
child during its lifetime? A No, sir.
Q Was the mother of Charles Lee Fool ever married to anybody?
A Not before this child was born, she was married since to a man
by the name of Johnson.
Q When she died her name was Johnson? A Yes sir.
Q Did you ever talk with Jack Fool more than once with reference
to his being the father of this child? A No sir, I don't think
I ever did.
Q Was that shortly after the birth of this child that you had
this conversation? A Yes sir, about three days.

-----oOo-----

Opal Griggs being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes she reported the above and foregoing proceedings had in the matter of the application for the enrollment of Charles Lee Fool as a citizen by blood of the Cherokee Nation, and that the above is a true and correct transcript of her stenographic notes thereof.

SUBSCRIBED AND SWORN to before me this 19th day of December, 1904.

Charles D. Sawyer
Notary Public.

Chas. N. 25

32

IN RE
THE DEATH OF

Charles S. Hood

a citizen of the

Cherokee

Nation.

Approved

Dec 30 1904

1904

[Signature]

Commissioner

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the death of Charles J. Flood
 a citizen of the Cherokee Nation, who formerly resided at or near
Starville, Ind. Ter., and died on the 11 day of
October, 1904

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA,)

INDIAN TERRITORY.

District.)

I, Harvey A. Weaver, on oath state that I am 56
 years of age and a citizen, by Starville, Ind. Ter.; that I am
 that my post office address is Starville, Ind. Ter.; that I am
Grand mother of Charles J. Flood
 who was a citizen, by Starville, of the Cherokee Nation;
 and that said Charles J. Flood died on the 11 day of
October, 1904.

WITNESSED TO MAKE

(M. & T. 1892)
 (Witnesses) } J. B. Cole
H. B. Allen

Subscribed and sworn to before me this

9 day of December, 1904.

Arthur Lunt
 Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,)

INDIAN TERRITORY.

District.)

I, Harvey A. Weaver, on oath state that I am 22
 years of age, and a citizen, by Starville, of the Cherokee Nation;
 that my post office address is Starville, Ind. Ter.;
 that I was personally acquainted with Charles J. Flood
 who was a citizen, by Starville, of the Cherokee Nation;
 and that said Charles J. Flood died on the 11 day of
October, 1904.

WITNESSED TO MAKE

(M. & T. 1892)
 (Witnesses) } J. B. Cole
H. B. Allen

Subscribed and sworn to before me this

19 day of December, 1904.

Arthur Lunt
 Notary Public.

STATE OF INDIAN TERRITORY,
COMMISSIONER OF THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Charles Lee Wool as a citizen by blood of the Cherokee Nation.

DECISION.


The record in this case shows that on August 20, 1900 Nancy R. Weaver appeared in person before the Commission, at Fort Gibson, Indian Territory, and made application for the enrollment of Charles Lee Wool as a citizen by blood of the Cherokee Nation. Further proceedings were had in the matter of this application at Muskogee, Indian Territory on December 19, 1904.

The evidence in this case shows that the applicant, Charles Lee Wool, was about four years of age on the date application was made for his enrollment; that he was a Cherokee citizen by blood; that he was born in the Cherokee Nation and made his home continuously therein; and that he is identified upon the 1896 census roll of the Cherokee Nation.

It is, therefore, the opinion of this Commission that Charles Lee Wool should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898 (30 Stat., 491), and it is so ordered.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.

Muskogee, Indian Territory,

APR 22 1905


Commissioner.

COPY.

Case No R-75.

Waskom, Indian Territory, December 28, 1904.

G. W. Weaver,

Starvilla, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of December 19, 1904, enclosing affidavit executed on that date showing the death of Charles L. Pool on October 11, 1902. The same being in due form will be filed with and made a part of the record in this case.

Respectfully,

SIGNED. *Tamie Dixey.*
Chairman.

Cherokee R 75.

COPY.

Muskogee, Indian Territory, April 22, 1905.

W. V. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 22, 1905, granting the application for the enrollment of Charles Lee Fool as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. 3-8

(SIGNED) *Tams Bixby.*
Chairman.

COPY.

Cherokee N-75.

Lawton, Indian Territory, May 16, 1905.

George W. Weaver,

Forum, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 22, 1905, granting the application for the enrollment of Charles Lee Pool as a citizen by blood of the Cherokee Nation.

You are advised that an allotment selection can not be made for the said Charles Lee Pool until his name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-110.

Jame Dixey.
Chairman.

Cher 10890

John Elliott

Cher 10890

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-c00-

In the matter of the application for the enrollment as
a citizen by blood of the Cherokee Nation of:

J O H N E L L I O T T , Cherokee D-1600.

-c00-

R
Cher D 1600

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name ? A Emmet Starr.
Q What is your age ? A Thirty one years.
Q What is your post office address ? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation ?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment ?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

John Elliott, page 122, § 1227, Muskogee District;
Also on 1896 roll, page 221, § 222, Muskogee District, as
John V. Elliott; Name: "Elliott". Brother of John Elliott,
Muskogee, I. T.

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment ?
A I desire to apply for the following named persons on the 1890
Cherokee roll, their families and their descendants:

B. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this 18 day of July, 1902.

B. C. Bagwell.

B. C. Bagwell
Notary Public.

R.
Cher. D-1600.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 15, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of JOHN ELLIOTT as a citizen by blood of the Cherokee Nation.

GEORGE W. MAYES, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: Your name is George W. Mayes, your age is fifty-three, your post office address is Pryor Creek, I. T.? A Yes sir.

Q You are a recognized citizen by blood of the Cherokee Nation?
A Yes sir.

Q Do you know John Elliott? A Yes sir.

Q He is a man now about twenty-seven years of age? A Yes sir.

Q Do you know his present post office address? A No, I don't.

The last I know of him he was over near Ramona, near the Osage line, in the Cherokee Nation.

Q Is he a Cherokee by blood? A Yes sir.

Q About what degree of Cherokee blood has he? A About a sixteenth, I guess.

Q Do you know the name of his father? A Yes sir. George Elliott.

Q Is he living? A No sir.

Q Was he a Cherokee by blood? A Yes sir.

Q Do you know the name of John Elliott's mother? A No, I don't know her given name. I believe it was Rachel, she was a Henderson.

Q Is she living? A No sir.

Q Was she a Cherokee by blood? A Yes sir.

Q How long have you known John Elliott? A I have known him ever since he was a little boy, a child.

Q Has he resided in the Cherokee Nation continuously during the time you have known him? A I think he has.

Q Do you know of any reason why he should not be enrolled as a citizen of the Cherokee Nation?

A I think he is in the penitentiary now. He has been in trouble ever since I knew him, pretty near.

Q Do you know from what court he was sent? A Vinita I think, the United States Court at Vinita.

Q About how long ago, do you know? A About a year, maybe a little over.

Q Do you know to what penitentiary he was sent? A No sir.

Q His father and mother were both recognized as citizens of the Cherokee Nation, were they? A Yes sir.

1880 authenticated roll of citizens of the Cherokee Nation examined, and applicant identified as follows:

Page 251, #890, John W. Elliott, Delaware District, age 5.

1896 census roll of citizens of the Cherokee Nation examined, and applicant identified as follows:

Page 152, #1589, John Elliott, Cooweescoowee District, age 21.

Q Has John Elliott some brothers living? A Yes sir, he has one.

Q What is his name? A James Elliott.

Q What is his post office address? A Adair.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Subscribed and sworn to before me this 27th day of August, 1902.

& John O. Roosen
Notary Public.

RECEIVED

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COMMUNICATIONS SECTION

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Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., November 21, 1902.

In the matter of the application of John Elliott for the enrollment of himself as a citizen by blood of the Cherokee Nation.

Jim Elliott, being sworn and examined by the Commission, testified as follows:

- Q What is your name? A Jim Elliott.
- Q How old are you? A I am twenty-six.
- Q What is your postoffice address? A Adair.
- Q Did you ever have a brother named John Elliott? A Yes sir.
- Q Was he older or younger than you? A Older than I am.
- Q How much older? A About a year.
- Q Was he a full brother of yours? A Yes sir.
- Q What is his father's name? A George Elliott.
- Q Is his father living or dead? A He is dead.
- Q Was he a Cherokee? A Yes sir.
- Q Who is the mother of John Elliott? A Rachel Elliott.
- Q Is she living or dead? A She is dead.
- Q Was she a Cherokee? A Yes sir.
- Q Where was John born? A He was born in Delaware District, near Vinita.
- Q When did you last see him or hear anything of him? A Well, I heard of him this last spring I guess it was. Old man Bill Halsell told me he was in the southwestern part of Oklahoma near the New Mexico line.
- Q When did you see him last? A A year ago last August.
- Q Where? A At Wagoner.
- Q Was he living there? A No, he was living at Ramona near the Osage line.
- Q Your brother was born in the Cherokee Nation was he? A Yes sir.
- Q Did you see him continuously from the time that you can remember up until a year ago last August? A Yes sir.
- Q Were you and he raised together? A Yes, we were raised together.
- Q How long have your parents been dead? A My father has been dead over four years and my mother died when I was small, when I was about seven or eight years old.
- Q Did you and John live with your father until the time of his death? A I did; John worked out from home.
- Q Where did he work? A At Nowata.
- Q Do you know whether John had ever left the Cherokee Nation prior to a year ago last August? A No sir, he never was away.
- Q You are positive he wasn't gone? A Yes sir.
- Q Did you see him all that time? A Yes sir, every three or four months.
- Q Was he always in the Cherokee Nation? A Yes sir.
- Q Did he ever state he had been out? A No sir.
- Q He has been rather of a roving disposition ever since he was a boy? A He has roamed around over the country and got into trouble a year or two ago and pulled out.
- Q What was the trouble? A He got into whiskey trouble and he had a fight; he jammed around a little.
- Q Do you mean he left the Cherokee Nation when he pulled out? A He went out on the line of the Osage Nation and went to Kansas and in Colorado, and the last I heard he went to Oklahoma.
- Q Has that taken place since a year ago last August? A Yes sir.
- Q That was in August, 1901? A Yes sir.
- Q Up until 1901 had he always lived and made his home in the nation? A Yes sir, he never had been out.
- Q When did you hear directly from him the last time? A Along in the spring I guess; old man Bill Halsell said he was out near his ranch out in southwestern Oklahoma.

2-John Elliott-

- Q You haven't heard anything about his death? A No sir.
- Q Have you any reason to believe he is dead? A No, I guess I would have heard of it.
- Q Do you know whether or not he was ever sent to the penitentiary for any reason? A I don't know that he was ever sent to the penitentiary.
- Q Are you acquainted with George W. Mayes who lives at Pryor Creek? A Yes sir.
- Q How long have you known him? A Ever since I can remember.
- Q He was acquainted with your family? A Yes sir.
- Q He knew John? A Yes sir.
- Q Is John married? A No sir.
- Q Do you know why he never has appeared before this Commission and made application for enrollment as a Cherokee? A No, I don't.
- Q You are enrolled are you not? A Yes, I am enrolled.
- Q Did you have any other brothers living? A I have a half-brother living three or four miles from town here.
- Q The same mother or father? A The same father.
- Q Is he enrolled? A Yes sir.
- Q Have you ever heard John's right to enrollment disputed? A No sir.
- Q When was the last time you actually saw John? A It was last August a year ago.
- Q You saw him up here at Wagoner? A I will tell you the particulars about it;— he got in jail in Muskogee over the whiskey trouble and I went his bond and we went back to Wagoner together.
- Q After he was released from jail? A Yes sir. And he told me he would come to my house in a few days and he went back out there and he and some fellows got into trouble and he took a scare and left.
- Q He jumped the bond did he? A Yes sir.
- Q You had to pay it did you? A I aint yet, but I guess I will have to pay it; he went off owing me about six hundred dollars and he never did write to me; I heard where he was at through other parties.
- Q He is a full brother of yours is he? A Yes sir, a full brother.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

J. G. Rothberger

Subscribed and sworn to before me this 21st day of November, 1907.

W. H. Jones
Notary Public.

Cherokee D-1520.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE CHIEF CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment of
John Elliott, as a citizen by blood of the Cherokee Nation.

---: D E C I S I O N :---

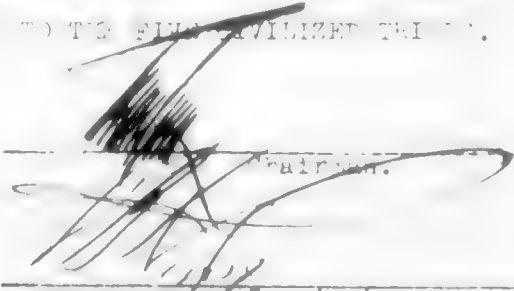
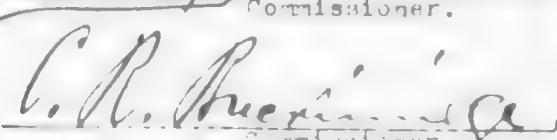
It appears from the record herein that on June 30, 1900, Emmet Starr appeared before this Commission, at Muskogee, Indian Territory, and made application for the enrollment of John Elliott, as a citizen by blood of the Cherokee Nation. Additional proceedings were had in the matter of said application, at Tahlequah, Indian Territory, on August 15, 1902, and at Muskogee, Indian Territory, on November 1, 1902.

The evidence herein shows that John Elliott is a Cherokee by blood and is identified upon the 1880 Authenticated Cherokee roll and also upon the 1896 Cherokee Census roll.

The evidence further shows that John Elliott was born in the Cherokee Nation and has resided therein continuously until August, 1901, when, in order to avoid arrest, he left the limits of the Cherokee Nation.

It is therefore the opinion of this Commission that John Elliott should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section Twenty-one of the Act of Congress approved June 25, 1900, (30 Stats., 495), and it is so ordered.

COPIED TO THE FILE CIVILIZED TRIBES.


Chairman.

Commissioner.

APR 10 1903

Char. D-1600.

Muskogee, Indian Territory, November 15, 1902.

Mr. James Elliott,

Adair, Indian Territory.

Dear Sir:

You are advised that one John Elliott, now about twenty-seven years of age, has been listed for enrollment from information by this Commission, on doubtful card, as a citizen of the Cherokee Nation. The record in this case shows that the said John Elliott is a brother of yours, and that he is at present confined in the United States penitentiary.

In order to complete the enrollment of John Elliott, it will be necessary that the Commission be furnished with further evidence as to his continued residence in the Cherokee Nation. You are requested to introduce before the Commission, at its general offices in Muskogee, Indian Territory, further testimony as to the residence of your brother.

As the Commission is disposing of doubtful applications as rapidly as possible, you should give the matter your immediate attention.

Respectfully,

Inclosure.
R.P.

Acting Chairman.

COPY

Cherokee D-1600.

Muskogee, Indian Territory, April 20, 1906.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 20, 1906, granting the application for the enrollment of John Elliott as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. S-41

SIGNED, *Jame Dixby*,
Chairman.

COPY.

Cherokee D-1800.

Muskogee, Indian Territory, May 16, 1906.

James Elliott,

Adair, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 20, 1906, granting the application for the enrollment of your brother, John Elliott, as a citizen by blood of the Cherokee Nation.

You are advised that an allotment selection for the said John Elliott can not be made until his name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-100.

James Dixby.
Chairman.

Cher 10891

Nancy Sourjohn

Cher 10891

R
Cher D 3142

Department of the Interior,
Commission to the Five Civilized Tribes,
Tulsa, I. T., June 30, 1902.

In the matter of the application of JAMES BULLITT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

Q What is your name? A Emmet Starr.

Q What is your age? A Thirty one years.

Q What is your post office address? A Elmore, I. T.

Q Are you a citizen by blood of the Cherokee Nation?

A Yes sir, I am.

Q For whom do you desire to make application for enrollment?

A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Nancy Sourjohn #3050 Tahlequah District;

No. 1 on 1896 roll as Nancy Sour John;

Jennie Sourjohn #3053 Tahlequah District;

Lewis Sourjohn #3054 Tahlequah District;

Lizzie Sourjohn #3055 Tahlequah District;

Levi Sourjohn

Q Are there any other persons for whom you desire to make appli-
cation for enrollment?

A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled case, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this December 9, 1902.

E. C. Bagwell
Notary Public.

R.
Cher. D-3142.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 16, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of NANCY SOURJOHN and others as citizens by blood of the Cherokee Nation.

SAMUEL FOREMAN, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A Samuel Foreman.
Q How old are you? A Thirty.
Q What is your post office address? A Tahlequah.
Q You are a recognized citizen by blood of the Cherokee Nation?
A Yes sir.
Q Do you know Nancy Sourjohn? A Yes sir.
Q She is a woman now about forty years of age? A Yes sir.
Q What is her present post office address? A Whitmire.
Q In what district does she reside? A Goingsnake.
Q Is Nancy Sourjohn a full blood Cherokee? A Yes sir.
Q She is a recognized citizen by blood of the Cherokee Nation?
A Yes sir.
Q Do you know the name of her father? A Yes sir, Dick Bearpaw.
Q Is he living? A No sir, he is dead.
Q Was he a Cherokee by blood? A Yes sir, he is a full blood.
Q Do you know the name of the mother of Nancy Sourjohn?
A Sealy Bearpaw.
Q Is she living? A I could not say whether she is or not. I have not heard for probably a year.
Q She is a Cherokee by blood? A Yes sir, she is a Cherokee full blood.
Q How long have you known Nancy Sourjohn? A About eighteen or twenty years.
Q Has she resided in the Cherokee nation continuously during the time you have known her? A Yes sir.
Q Has she been married? A Yes sir.
Q Do you know the name of her husband? A Yes sir, Joe Sourjohn.
Q Is he living? A No sir.
Q Did she and Joe Sourjohn have some children? A Yes sir.
Q What is the name of their oldest child, under twenty-one years unmarried? A James.
Q I find from the records of the Commission that an application has been made for the enrollment of James, so he would not be enrolled in this application. What is the name of their next child?
A Jennie.
Q About how old is that child? A She is fourteen.
Q What is the name of the next child? A Lewis.
Q How old is that child? A Twelve years old.
Q What is the name of the next child? A Lizzie.
Q How old is that child? A About ten.
Q What is the name of the next child? A Levi.
Q How old is that child? A Six years old.
Q Was Joe Sourjohn a full blood Cherokee? A Yes sir.
Q Did he reside in Tahlequah District at the time of his death?
A No sir, in Goingsnake.
Q Are all these children living now, and living with Nancy Sourjohn?
A Yes sir.
Q They are all her children by her husband Joe Sourjohn? A Yes sir.
Q Was Nancy Sourjohn ever married before she married Joe Sourjohn?
A I don't think she was.
Q In what district were the parents of Nancy Sourjohn residing in 1860? A In Goingsnake District.

It is found upon examination of the copy of the 1880 authenticated roll of citizens of the Cherokee Nation, that the parents of Nancy Sourjohn are identified upon said roll, Page 5, #168, Dick Bearpaw, Goingsnake District, age 80.

Page 5, #169, Sallie Bearpaw, Goingsnake District, age 35.

1896 census roll of citizens of the Cherokee Nation examined, and applicants identified thereon as follows:

Page 1243, #3050, Nancy Sourjohn, Tahlequah District, age 55.

Page 1243, #3053, Jennie Sourjohn, Tahlequah District, age 8.

Page 1243, #3054, Lewis Sourjohn, Tahlequah District, age 6.

Page 1243, #3055, Lizzie Sourjohn, Tahlequah District, age 4.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 1st day of September, 1902.

John O. Carson
Notary Public.

FILED
DEC ~ 1904
COMMISSION TO FIVE TRIBES

Handwritten signature
Handwritten signature

Cherokee D-3111.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 22, 1904.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of Nancy Sourjohn, et al? as citizens by blood of the Cherokee Nation.

It appears that on November 8, 1904, the applicant and the attorneys for the Cherokee Nation were notified by letter that an opportunity would be given each of them to appear before the Commission at its offices in Muskogee, Indian Territory, on November 22, 1904, and then and there introduce further testimony in this case touching the points mentioned in said letter, and by agreement of the parties concerned in this case it was taken up on this November 22, 1904.

NANCY SOURJOHN being first duly sworn testifies, through an interpreter, as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Nancy Sourjohn.
Q How old are you? A Somewhere along about 40.
Q Where do you live? A In Goingsnake district.
Q How long have you lived in Goingsnake district? A About 4 years.
Q Where did you live prior to going to Goingsnake district?
A Over here what they call Tahlequah district.
Q How long did you live in Tahlequah district? A About 20 years.
Q Where did you live before going to Tahlequah district?
A I was born in Tahlequah district.
Q Did you live all your life in Tahlequah district up until about four years ago? A Yes, sir.
Q Have you ever lived out of the Cherokee Nation? A No, sir.
Q Are you a full blood Cherokee? A Yes, sir.
Q Are you married? A Yes, sir.
Q What is your husband's name? A Lurie Goingsnake.
Q Have you any children? A Yes, sir.
Q What are their names? A A boy by the name of Louis and a girl Lizzie.
Q What are your other children's names? A Jennie and Levi.
Q Who is the father of these children? A Joe Sourjohn.
Q Were you married to Joe Sourjohn before you were married to this husband? A Yes, sir.
Q Is Joe Sourjohn living? A He has been dead three years.
Q Are these children living at the present time? A Yes, sir.
Q Jennie, Louis, Levi and Lizzie are living now? A Yes, sir.
Q Living with you in Goingsnake district? A Yes, sir.
Q Is your name on the 1880 roll? A Yes, sir.
Q What is your father's name? A Richard Bearpaw.
Q What is your mother's name? A Caroline.
Q How old are you? A About 40.
Q You were living with your father about 24 years ago? A No.
Q Where were you living about 1880 if you remember? A I was living in Tahlequah district.
Q Did your mother ever go by the name of Sally Bearpaw? A No.
Q Did your father have more than one wife? A Yes, sir.
Q When did your mother die? A I was about 8 years old when my mother died.
Q Were you married to anybody before your marriage to JOE Sourjohn?
A Yes, sir.

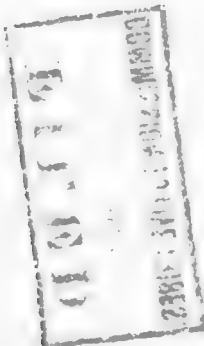
---2---

Opal Griggs being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above and foregoing proceedings had on the 22nd day of November, 1904, and that the above is a true and correct transcript of her stenographic notes thereof.

Opal Griggs

Subscribed and sworn to before me this 22 day of November, 1904.

J. H. Campbell
Notary public.



C 10 3142

20

IN RE

Application for Enrollment of
INFANT CHILD

Levi Dourjohn

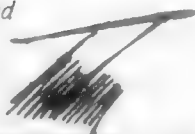
as a citizen of

Indiana

Nation.

Approved

190



Commissioner

application made June 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation,
of Levi Soudyoh, born on the 7 day of Oct, 1897.
Name of Father Joe Soudyoh, a citizen of the Cherokee Nation.
Name of Mother Nancy Soudyoh, a citizen of the Cherokee Nation.
Postoffice Oake Creek

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
North DISTRICT.

I, Nancy Soudyoh, on oath state that I am thirty five
years of age and a citizen, by blood of the Cherokee Nation;
and was formerly married to Joe Soudyoh are both
that I am the lawful wife of Joe Soudyoh, who is a citizen by
blood of the Cherokee Nation; that a male child was
(Male or Female)
born to me on the seventh day of October, 1897; that said child has been named
Levi Soudyoh, and is now living.

WITNESSES TO MAKE:

(Must be Two Witnesses.) St. A. Gial
Nancy Soudyoh

Subscribed and sworn to before me this 2 day of Jan, 1905.

My Commission Expires Nov. 10, 1908

P. J. G. G. G.
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
North DISTRICT.

I, Annie Whitman, a mid wife, on oath state that I
attended on Mrs. Nancy Soudyoh, wife of Joe Soudyoh
on the 7 day of Oct, 1897, that there was born to her on said date a male
(Male or Female)
child, that said child is now living and is said to have been named Levi Soudyoh
Annie Whitman

WITNESSES TO MAKE:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 2 day of Jan, 1905.

My Commission Expires Nov. 10, 1908

P. J. G. G. G.
Notary Public.

FILED
JAN 11 1905
COMMISSION TO FIVE TRIBES.

Handwritten text, possibly "Commission to Five Tribes"

107709

JOR.

Cherokee Freedmen D-3142.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE,

Tahlequah, I. T., January 5, 1905.

In the matter of the application for the enrollment of
Nancy Sourjohn, and her children Jennie, Lewis, Lizzie and Levi Sour-
john as citizens by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

LOONEY GOINGTOSLEEP, being duly sworn and examined by the
Commission, testified as follows:

- Q What is your name? A Looney Goingtosleep.
Q How old are you? A 30.
Q What is your postoffice? A Oak.
Q Was your postoffice Tahlequah, when you enrolled? A Yes sir.
Q You are a full blood Cherokee are you? A Yes sir.
Q Are you married? A Yes sir.
Q What is the name of your wife? A Nancy Sourjohn.
Q When were you married? A Somewhere along about the last of
September.
Q September of the past year? A Yes sir.
Q September, 1904? A Yes sir.
Q Is your wife a Cherokee by blood? A Yes sir.
Q Are you and she living together? A Yes sir.
Q She was formerly the wife of Joe Sourjohn? A Yes sir.
Q He is dead is he? A Yes sir.
Q Your wife has children Jennie, Lewis, Lizzie and Levi has she? A
Yes sir.
Q Are they all living? A Yes sir, all living.

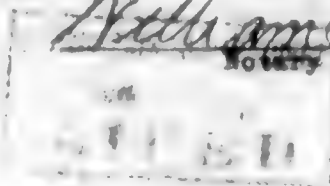
----oOo----

Clinton W. Myers, being duly sworn, states that as stenog-
rapher to the Commission of the Five Civilized Tribes, he correctly
recorded the supplemental testimony in this case and that the fore-
going is a true and complete transcript of his stenographic notes taken
therein.

Clinton W. Myers

Subscribed and sworn to before me,
this the 6th day of January, 1905.

William P. Drew
Notary Public.



Cherokee 10891.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.

Tahlequah, I. T., July 21, 1905.

In the matter of the application for the enrollment of Nancy Sourjohn and children, Jennie, Lewis, Lizzie and Levi Sourjohn, as citizens by blood of the Cherokee Nation. No. 10891

NANCY GOINGTOSLEEP, being duly sworn by Joe Chambers, a Notary Public, and examined, through Interpreter Jack Wofford, on behalf of the Commissioner, testified as follows:-----

- Q What is your name? A Nancy Goingtosleep.
Q How old are you? A 44.
Q What is your post-office? A Oaka.
Q Are you a fullblood Cherokee? A Yes sir.
Q Were you formerly the wife of Joe Sourjohn? A Yes sir.
Q Is he dead? A Yes sir.
Q Have you children, Jennie, Lewis, Lizzie and Levi Sourjohn?
A Yes sir.
Q Have you married since you were enrolled? A Yes sir.
Q What is the name of your husband now? A Boone Goingtosleep.
Q Is he a fullblood Cherokee? A Yes sir.
Q Did he use to have a wife named Polly? A Yes sir. She's dead now.
Q When were you and he married? A September, 1904.
Q Do you know what day? A No.
Q Are you and he living together now? A Yes sir.
Q Has your daughter, Jennie Sourjohn, married since she was enrolled? A Yes. She's living with a man.
Q What is his name? A Will Sand.
Q What is the name of his father? A Noah Sand.
Q And his mother? A Ah-yah-ne.
Q He is a fullblood Cherokee? A Yes sir.
Q When were they married? A About a year ago.
Q What month and day? A I can't say.
Q Was it Summer, Fall, Winter or Spring? A In the Fall.
Q Last Fall? A Yes.
Q Are they living together now? A Yes.

Joe Chambers, being duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes, he correctly recorded the testimony in this case, and that the above and foregoing is a true and complete copy of his stenographic notes.

Subscribed and sworn to before
me this 21st day of July, 1905.

JO

Joe Chambers
Notary Public
Notary Public.

IN RE
THE DEATH OF

a citizen of the

Nation.

Approved

190

Commissioner.

1891 1896 Year Original this.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of James Nanjoh
(Here insert name of deceased.)
a citizen of the Cherokee Nation, who formerly resided at or near
Adel Ind. Ter., and died on the about middle day of
August 1904.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern DISTRICT.
I, Nancy J. Goring (married as Nancy Nanjoh)
years of age and a citizen, by Adel of the Cherokee Nation;
that my postoffice address is Adel Ind. Ter.; that I am
(Here insert name of postoffice.)
mother of James Nanjoh
(State relationship: as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by Adel of the Cherokee Nation
and that said James Nanjoh died on the about middle day of
(Here insert name of deceased.)
August 1904.

WITNESSES TO MARK:

(Must Be Two Witnesses)

Subscribed and sworn to before me this 21 day of July 1905.

Simon H. Walker
Notary Public.

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA, INDIAN TERRITORY,
DISTRICT.
I, _____, on oath state that I am _____
years of age, and a citizen by _____ of the _____ Nation;
that my postoffice address is _____ Ind. Ter.;
(Here insert name of postoffice.)
that I was personally acquainted with _____
(Here insert name of deceased.)
who was a citizen, by _____ of the _____ Nation;
and that said _____ died on the _____ day of _____
(Here insert name of deceased.)

WITNESSES TO MARK:

(Must Be Two Witnesses)

Subscribed and sworn to before me this _____ day of _____ 1905.

Notary Public.

27
100

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

-100-

In the matter of the application for citizenship of
Nancy Scurjonn, daughter of the late John Scurjonn, of the Cherokee Nation.

---: P R E S E N T A T I O N :---

It appears from the records herein that on June 30, 1904, Nancy Scurjonn, wife of John Scurjonn, of the Cherokee Nation, Indian Territory, and her application for the citizenship of Nancy Scurjonn and her children, Jennie, Lewis, Lizzie and Levi Scurjonn, as citizens of the Cherokee Nation. Additional facts in a report of the Commissioner of Indian Affairs, dated at Washington, Indian Territory, August 12, 1904, and at Muskogee, Indian Territory, on November 17, 1904.

The evidence herein shows that Nancy Scurjonn, who is identified upon the 1880 Cherokee Census Roll, is a full blood Cherokee Indian, and the daughter of Caroline Pearpet and her husband, Bearpaw, the latter being identified upon the 1880 Authenticated Cherokee Roll. The minor applicants are the children of Nancy Scurjonn and her husband and John Scurjonn, and are all identified upon the 1880 Cherokee Census Roll, with the exception of Levi Scurjonn, who was born since the preparation of the last tribal, and is identified by proper proof of birth filed herewith.

It further appears from the evidence that Nancy Scurjonn has resided continuously in the Cherokee Nation since her birth up to and including September 1, 1902. The residence of the minor applicants is taken to be that of their mother.

It is therefore the opinion of this Commission that Nancy Scurjonn, Jennie Scurjonn, Lewis Scurjonn, Lizzie Scurjonn and Levi Scurjonn should be admitted as citizens of the Cherokee Nation, in accordance with the provisions of Section 1771, of the Act of Congress, approved June 10, 1900, (36 Stats., 476), and it is so ordered.

COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS.


C. R. Buckinridge
Commissioner.

W. H. ...

A. W. ...

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
OAKS, I. T., SEPTEMBER 26, 1905.

NANCY GOINGTOSLEEP, being duly sworn and examined through
Simon R. Walkingstick, Interpreter, testified as follows:

- Q What is your name
A Nancy Goingtosleep
Q What is your age
Q About 50 years.
Q What is your Post office address
A Oaks, I. T.
Q Are you a citizen by blood of the Cherokee Nation
A Yes, I am a full blood Cherokee
Q Do you know one James Sourjohn whose name appears on the 1896
census roll of citizens of the Cherokee Nation and for Tahlequah
District
A Yes, he was my son
Q Is he not living? A No, he died sometime in October 1904
Q What is the name of his father
A Joe Sourjohn
Q Is he living
A No he has been deadn about three years
Q Was he a Cherokee by blood
A Yes, a full blood Cherokee
Q Did your son James Sourjohn live continuously in the Cherokee
Nation from the time of his birth until the date of his death
A Yes, he always lived with me in Tahlequah District Cherokee Nation
Q He was a recognized citizen of the Cherokee Nation was he
A Yes
Q You are now the wife of Looney Goingtosleep are you
A Yes
Q You lived with Joe Sourjohn until his death about three years
ago, did you
A Yes
Q At the time the Dawes Commission was making the roll of Cherokee
citizens it appears you were not favorable to enrollment
A Yes, I was not exactly opposed but didn't enroll myself
Q You were enrolled on the testimony of other people were you
A Yes
Q Then that is why no application was made for your son James
Sourjohn's enrollment
A Yes
Q How old would he have been if living at the present time
A About 19 years.
Q You have other children by Joe Sourjohn, have you.
A Yes.
Q What are their names
A Annie, Jennie, Lewis and Lizzie Sourjohn, also Levi Sourjohn.

Q Are all of these children on the roll with you.
A Yes, they are all on the roll.

Witness: Lewis Sourjohn
Note. No other person present.

her
Nancy X Sourjohn
mark

Subscribed and sworn to before me this 26th day of September, 1905.

Simon R. Walkingstick

(SEAL)

Notary Public.

-----oOo-----

George H. Lessley, being first duly sworn states that as stenographer to the Commissioner to the Five Civilized Tribes, he made the above and foregoing copy from the original thereof, and that the same is true and correct as he verily believes.

George H. Lessley

Subscribed and sworn to before me this 27th day of September, 1905.

Myron White

Notary Public.

COPY.

Cherokee D-3142.

Muskogee, Indian Territory, November 5, 1904.

Nancy Sourjohn,

Oaks, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of yourself and your minor children as citizens by blood of the Cherokee Nation, you are advised that before the Commission can render a final decision in this case it will be necessary that further testimony be introduced tending to show that you have not forfeited your citizenship in the Cherokee Nation.

You are therefore hereby directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Wednesday, November 23, 1904, and introduce testimony as above indicated.

Respectfully,

Register.

SIGNED. *Tams Bixby.*
Chairman.

COPY.

Cherokee D-3142.

Muskogee, Indian Territory, November 5, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Nancy Sourjohn and her minor children as citizens by blood of the Cherokee Nation, you are hereby advised that before the Commission can render a final decision in this case it will be necessary that further testimony be introduced tending to show that the applicants have not forfeited their citizenship in the Cherokee Nation.

Said Nancy Sourjohn has therefore this day been directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Wednesday, November 23, 1904, and introduce testimony as above indicated. The Cherokee Nation will be permitted to appear on that date and introduce such testimony as it may desire.

Respectfully,

(SIGNED) *Tamc Dixby.*
Chairman.

COPY.

Cherokee D-3142.

Muskogee, Indian Territory, November 11, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Nancy Sourjohn, et al., as citizens by blood of the Cherokee Nation, which case has been set for further hearing before the Commission at its offices in Muskogee, Indian Territory, on November 23, 1904, you are advised that the Commission is in receipt of a letter from the applicant requesting that said testimony be taken at the Cherokee Land Office. The name of the principal applicant appears upon the 1896 census roll of the Cherokee Nation.

You are respectfully requested to advise the Commission at your earliest convenience whether or not you have any objection to the Commission notifying the applicant that she may appear before the Cherokee Land Office at any time she may desire and introduce the testimony referred to.

Respectfully,

W. W. Hastings
Chairman.

COPY

Muskogee, Indian Territory, December 7, 1904.

W. V. Hastings,

Attorney for the Cherokee Nation.

Tahlequah, Indian Territory.

Dear sir:

There is herewith enclosed copies of supplemental testimony taken at Muskogee, Indian Territory, in the following Cherokee enrollment cases:

November 21, 1904.

Louis Glass, Cherokee D-1728.

Minnie Carr, et al., Cherokee 4378.

November 22, 1904.

Mary V. Hafford, Cherokee 3861.

Nancy Sourjohn, Cherokee D-3142.

December 2, 1904.

John Hart, Cherokee D-3043.

Respectfully,

Tame Bixby.

Chairman.

Encl. 04-7.

COMMISSIONERS
TAMM RIXBY,
THOMAS B. NEEDLES,
C. E. BRECKINRIDGE,
WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cherokee Freedman
D-3142.

Muskogee, Indian Territory, December 9, 1904.

Nancy Goingsnake,

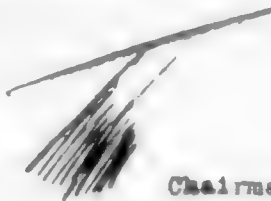
Oaks, Indian Territory.

Dear madam:

In the matter of the application for the enrollment of yourself and your minor children as Cherokees by blood, you are advised that it will be necessary that the Commission be furnished with a proper certificate as to the birth of your minor child, Levi Sourjohn.

There is herewith enclosed a blank certificate of birth which you are requested to fill out and return to the Commission at your earliest convenience. In having the same executed be certain to see that all of the blank spaces are properly filled and that the Notary Public, before whom the certificates are acknowledged, attaches his notarial seal to each one of said certificates, and in case any of the parties sign by mark the same should be attested by two disinterested parties witnesses thereto.

Respectfully,



Chairman.

Encl. OG-14.

COPY.

Cherokee D-3142.

Muskogee, Indian Territory, January 12, 1905.

Nancy Golngtosleep,

Oake, Indian Territory.

Dear Madam:

The Commission is in receipt of an affidavit executed on January 2, 1905, showing the birth of Levi Sourjohn on October 7, 1897, to yourself and Joe Sourjohn. Same being in due form will be filed with and made part of the record in this case.

Respectfully,

(SIGNED) *Tams Dixby.*
Chairman.

COPY.

Cherokee D-5142.

Muskogee, Indian Territory, April 17, 1905.

Nancy Sourjohn,

Oaks, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of April 12, 1905, relative to the enrollment of yourself, et al., as citizens of blood of the Cherokee Nation.

In reply you are advised that the Commission has not yet rendered a decision in this case. When a decision has been rendered you will be furnished with a copy.

Respectfully,

SIGNED: *Tamie Lixby.*
Chairman.

COPY.

Cherokee D-3142.

Muskogee, Indian Territory, April 19, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 19, 1905, granting the application for the enrollment of Nancy Sourjohn, et al., as citizens by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. 3-17

SIGNED: *Tams Birby*
Chairman.

COPY.

Cherokee D-3142.

Muskogee, Indian Territory, May 16, 1906.

Nancy Sourjohn,
Oakes, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 19, 1906, granting the application for the enrollment of yourself et al., as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-104.

SIGNED. *Tams Dixie*
Chairman.

COPY.

Cherokee 10891.

Waskogee, Indian Territory, May 24, 1905.

Commissioner in Charge,

Cherokee Land Office,

Tahlequah, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of May 17, 1905, asking to be advised whether or not further testimony is needed in order to complete the enrollment, as citizens of the Cherokee Nation, of Nancy Goingsosleep, et al., Cherokee D-3142.

In reply you are advised that on April 19, 1905, the Commission rendered its decision granting the application for the enrollment of the parties referred to as citizens by blood of the Cherokee Nation, and on May 18, 1905, the enrollment of these parties was transferred to Cherokee straight card No. 10891.

Respectfully,

SIGNED. *Tame Bixby,*
Chairman.

Muskogee, Indian Territory, September 19, 1905.

Simon R. Walkingstick,

Cherokee Land Office,

Tahlequah, Indian Territory.

Dear Sir:

On June 30, 1902, there were included in the general application for the enrollment of persons whose names appeared on the 1880 and 1896 Cherokee rolls unaccounted for, Nancy, Jennie, Lewis, and Lissie Sourjohn, whose names appear on the 1896 Census roll of citizens of the Cherokee Nation, page 1243, Nos. 3050, 3053, 3054, and 3055 respectively, and their families and descendants.

It appears from recent correspondence had between the Cherokee Land Office and the General Office that Nancy Courjohn has a child, James Sourjohn, whose name appears on the 1896 roll same page and district, opposite No. 3052, age 10 years at that time. Opposite his enrollment is a note to the effect that the said child was listed for enrollment by Cherokee enrollment field party No. 3. This note is erroneous because no application was ever made for the enrollment of said child, but application was made for the enrollment of his sister, Annie Sourjohn, whose name appears just preceding his at No. 3051, and this notation evidently refers to her as she was listed for enrollment by that party No. 3.

Simon R. Walkingstick---2.

Nancy Sourjohn and the children listed with her on June 30, 1902, above named, have since been duly enrolled, their names appearing on Cherokee card field No. 10891. You are desired to, if possible, secure the testimony of Nancy Sourjohn as to the parentage of her child, James Sourjohn, and as to whether or not he continuously resided in the Cherokee Nation from the time of his birth until the date of his death, which is shown to have been about the middle of October, 1904.

Nancy Sourjohn was married in September, 1904, to Looney Goingtonsleep whose name appears on Cherokee card Field No. 9301, and whose post office is understood to be Oaks, Indian Territory. James W. Duncan of Tahlequah, Indian Territory, has made several inquiries as to the status of the citizenship in the Cherokee Nation of Nancy Sourjohn and family, and it is probable that he could be of some assistance to you in securing the necessary information to determine the right to enrollment of the child, James Sourjohn.

Respectfully,

GHL

Acting Commissioner.

Cher 10892

Katie Muskrat

Cher 10892

✓ *5/23*

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment
of Katie Muskrat as a citizen by blood of the Cherokee nation.

--:--

Cherokee D 2951.

Received by mail of the same as the contents of the

Answer

The following is a complete statement of all the accounts and
debts due to the business of the firm of J. H. Smith & Co.
as of the 31st day of December 1910. The same is
correct and true to the best of our knowledge and belief.

OF THE FIRM OF
J. H. SMITH & CO.
INCORPORATED
NEW YORK

The following is a complete statement of all the accounts and
debts due to the business of the firm of J. H. Smith & Co.
as of the 31st day of December 1910. The same is
correct and true to the best of our knowledge and belief.

Answered by mail of the same as the contents of the

The following is a complete statement of all the accounts and
debts due to the business of the firm of J. H. Smith & Co.
as of the 31st day of December 1910. The same is
correct and true to the best of our knowledge and belief.

Received by mail of the same as the contents of the

R
Char D 2951

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

ELIOT STARR, being duly sworn and examined by the Commission,
testified as follows:

Q What is your name? A Eliot Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Katie Muskrat #1198 Illinois District.

Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1896
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this December 9, 1902.

E. C. Bagwell
Notary Public.

Department of the Interior,
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I.T., May 3, 1904.

In the matter of the application for the enrollment of
KATIE MUSKRAT as a citizen by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

LUCY CLARK, being duly sworn, and examined by the Commission, testified as follows:

- Q What is your name? A Lucy Clark.
Q How old are you? A 24.
Q What is your postoffice address? A Webbers Falls.
Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
Q Have you ever been enrolled by the Commission? A Yes sir.
Q Under what name were you enrolled? A Lucy Muskrat.
Q You have a son named John Brown? A Yes sir.
Q You were married since you were enrolled? A Yes sir.
Q Is your husband a white man? A Yes sir.
Q What is his name? A Charley Clark.
Q When were you married? A March 3, 1903.
Q Did you ever have a sister named Katie? A Yes sir.
Q Is she living now? A No sir, she's dead.
Q Her name was Katie Muskrat? A Yes sir.
Q Was she your full sister? A Yes sir.
Q Your father named James Muskrat? A Yes sir.
Q He is dead? A Yes sir.
Q Your mother named Peggie? A Yes sir.
Q She is dead? A Yes sir.
Q Katie of course is a full-blood? A Yes sir.
Q When did she die? A November 3, 1903.
Q That has been how many years ago? A Not a year yet.
Q She was living with you when she died? A No, she was at school when she died.
Q Where? A Pryor Creek, at the Orphan Asylum.
Q How long had she been there? A About 2 years; no, a little over a year.
Q She was born in the Cherokee Nation? A Yes sir.
Q Did she live here all her life? A Yes sir.
Q Never lived out? A No sir.
Q And she was living here when she died? A Yes sir.
Q Why didn't you enroll her when you enrolled yourself? A I don't know; we were there together; I don't know why they didn't put her name down.
Q Did she ever go by any other name than Katie Muskrat? A No sir.
Q You say she was born in the Cherokee Nation, lived here all her life and died here? A Yes sir, born in Cherokee Nation.
Q Have you got any other brothers and sisters? A I've got a halfbrother.
Q Is he enrolled? A Yes sir, he's enrolled but his father has got him.
Q You haven't any brothers or sisters of your own? A No sir.
COMMISSION: This testimony will be filed as supplemental to Cherokee D-2951, Katie Muskrat.

Mabel F. Maxwell, being duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she correctly recorded the supplemental testimony in this case and that the above and foregoing is a true and complete transcript of her stenographic notes thereof.

Subscribed and sworn to before
me this 4th day of May, 1904.

Mabel F. Maxwell
Simon B. Walker

IN RE
THE DEATH OF

Nathaniel Muskrat

a citizen of the

Cherokee Nation.

4309
Approved

May 3 1904

C. R. Buck
Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAY 7 1904

CHARMA

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Ratie Mushkrat
Here insert name of deceased
 a citizen of the Cherokee Nation, who formerly resided at or near
Wabbe Falls, Ind. Ter., and died on the 3rd day of
Nov, 1903

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,Northern District.

I, Lucy Mushkrat, on oath state that I am 24
 years of age, and a citizen, by blood, of the Cherokee Nation;
 that my post office address is Wabbe Falls, Ind. Ter.; that I am
Here insert name of post office.
was the sister of Ratie Mushkrat.
(State relationship - the father, an uncle, a cousin, etc.)
(Here insert name of deceased)
 who was a citizen, by blood, of the Cherokee Nation;
 and that said Ratie Mushkrat died on the 3rd day of
Nov, 1903.
(Here insert name of deceased)

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this

3rd day ofMay1904

Samuel J. Freeman
 Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,

District.

I, _____, on oath state that I am _____
 years of age, and a citizen, by _____, of the _____ Nation;
 that my post office address is _____, Ind. Ter.;
(Here insert name of post office)
 that I was personally acquainted with _____
(Here insert name of deceased)
 who was a citizen by _____, of the _____ Nation;
 and that said _____ died on the _____ day of _____
(Here insert name of deceased)

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this

day of

190

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

APR 20 1893

JOB

Cherokee D-2951.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE LAND OFFICE.
Tallequah, I. T., January 5, 1905.

In the matter of the application for the enrollment of
Katie Muskrat as a citizen by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

Wiley S. Vessor, being sworn and examined by the Commission, testified as follows:

- Q What is your name? A Wiley S. Vessor.
Q How old are you? A 33.
Q What is your postoffice? A Sallisaw.
Q Are you a citizen of the Cherokee Nation? A No sir.
Q Were you married to a Cherokee by blood? A Yes sir.
Q What was her name? A Peggie Muskrat.
Q How old was she, is she? A Yes sir.
Q Did she have a child named Katie Muskrat? A Yes sir.
Q Is the child living? A No sir.
Q When did she die? A 3 years ago, I don't know exactly.
Q Do you remember what month it was in? A November or December, I don't remember which.
Q Did she die after the Cherokee roll closed? A Yes sir.
Q Is she a full blood? A Well now, she is known to be a full blood but she told the commissioner she was part white woman when she enrolled in 1896.
Q Has she resided in the Cherokee Nation continuously? A She was born and lived in the Cherokee Nation except when she went to Mexico during the Civil War. All the rest of the time she has been here.
Q She has always recognized as a citizen of the Cherokee Nation? A Yes sir.
Q What was her maiden name? A Peggie Rowe.
Q It is shown by the copy of the 1880 authenticated roll of citizens of the Cherokee Nation, which copy was formerly in the possession of the representatives of the Cherokee Nation, that one Peggie Rowe is identified thereon opposite to a certain native Cherokee, 23 years of age. Do you know whether she was enrolled by herself in 1880? A No sir.
Q Has the right to enrollment as a citizen of the Cherokee Nation of Katie Muskrat ever been questioned? A No sir.
Q Has she drawn money with the Cherokees? A Yes sir.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 13 1885

Q Has she ever lived out of the Cherokee Nation? A Never was out of it, not even to Ft. Smith.

I, May Hudson, state upon oath that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the supplemental testimony in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

May Hudson

Subscribed and sworn to before me this 6th day of January, 1905.

Daniel Freeman
Notary Public.

Cherokee D 2951

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment
of Katie Muskrat as a citizen by blood of the Cherokee Nation.

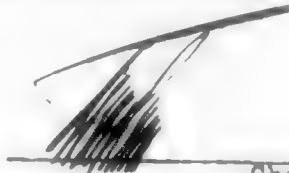
DECISION.

The record in this case shows that on June 30, 1902, Emmet Starr appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment, as a citizen of the Cherokee Nation, of Katie Muskrat. Further proceedings were had in the matter of said application at Tahlequah, Indian Territory, May 3, 1904, and January 5, 1905.

The evidence in this case shows that the applicant, Katie Muskrat, is the issue of the marriage of James Muskrat and Peggy Muskrat, nee Rowe, who is duly identified upon the 1880 authenticated Cherokee tribal roll; that Katie Muskrat was born in the Cherokee Nation, and has always made her home therein, and that she is duly identified upon the 1896 Cherokee census roll.

It is, therefore, the opinion of this Commission that Katie Muskrat should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES



Chairman


Commissioner

Dated at Muskogee, Indian Territory,
this APR 20 1905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.

Tablet No. 1. T., June 30, 1905.

In the matter of the application for the enrollment of Katie Muskrat as a citizen of the Cherokee Nation. No. D-2951.

T. B. CORNELIUS, being duly sworn by J. O. Rosson, a Notary Public, and examined by the Commission, testified as follows:-----

- Q What is your name? A T. B. Cornelius.
Q How old are you? A I'm 58.
Q What is your post-office? A Vian.
Q Are you a citizen of the Cherokee Nation? A No sir. United States citizen.
Q Did you know a Katie Muskrat? A Yes sir.
Q She would be about 19 years old if living? A Yes sir. She's not living. She died.
Q An affidavit has been filed showing her death on November 3, 1903. Do you think that is the correct date? A Yes. It's somewhere along about that time. I don't remember the exact date.
Q What was the name of her mother? A Peggie.
Q Do you know the name of her father? A No, I don't. I was not acquainted with her father.
Q Do you know how long her mother has been dead? A 5 or 6 years.
Q How long did you know her prior to her death? A I knew her ever since this Katie was a sucking baby. Katie was a baby when I first got acquainted with her.
Q Was Peggie a fullblood Cherokee? A Yes sir, looked to be.
Q During the time you knew her did she reside in the Cherokee Nation continuously? A Yes sir.
Q Did you ever hear or know of Peggie living out of the Cherokee Nation? A No sir.
Q Was she always recognized as a citizen by blood of the Cherokee Nation? A Yes sir.
Q Where has Katie lived all of her life? A She's lived right down near McKey. About a mile and a half from McKey.
Q That is in the Cherokee Nation? A Yes sir. She came from Canadian District down there when she was a baby.
Q Did she, of your own knowledge, live in the Cherokee Nation continuously all of her life? A Yes sir.
Q Do you know what District the mother of Katie would have been enrolled in 1880? A Not without it was Canadian District. She came from Canadian District to McKey there.
Q Has Katie an Older sister? A Yes sir.
Q What is her name? A Lucy Muskrat.
Q Did Lucy have a child named Willie Brown? A Yes sir.
Q Child of Redcloud Brown? A Yes sir.

BY THE COMMISSION:

It is shown upon an examination of the Commission's records that Lucy Muskrat, a sister of Katie Muskrat, is listed on Cherokee Card, Field No. 1129, her name being

identified on the 1880 authenticated roll, No. 910, Flint District, as James Muskrat.


Q Did Lucy have an older sister? A Just the 3 is all that came down there. If she did I did not know anything about it.


BY THE COMMISSION:

It is shown upon an examination of a copy of the 1880 authenticated roll formerly in the possession of the representatives of the Cherokee Nation that Lucy Muskrat is identified thereon, just following Cattie Muskrat, presumably an older sister, and her mother, Peggie Muskrat. The records of the Commission further show that the Lucy Muskrat above referred to is identified upon the 1896 census roll, No. 1197, just preceding Katie Muskrat, the applicant in question.

Joe Chambers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony in this case, and that the above and foregoing is a true and complete copy of his stenographic notes.

Subscribed and sworn to before
me this 6th day of July, 1905.





Notary Public.

COPY.

Cherokee D-2951.

Muskogee, Indian Territory, April 20, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 20, 1905, granting the application for the enrollment of Katie Muskrat as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. 8-45.

SIGNED. *Tams Bixby.*
Chairman.

COMMISSIONERS
JAMES BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

WM. O. BRADLEY
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

NOTE IN REPLY TO THE FOLLOWING:

Cherokee D-2951.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 16, 1905.

Katie Muskrat,

Webbers Falls, Indian Territory.

Dear Madam:

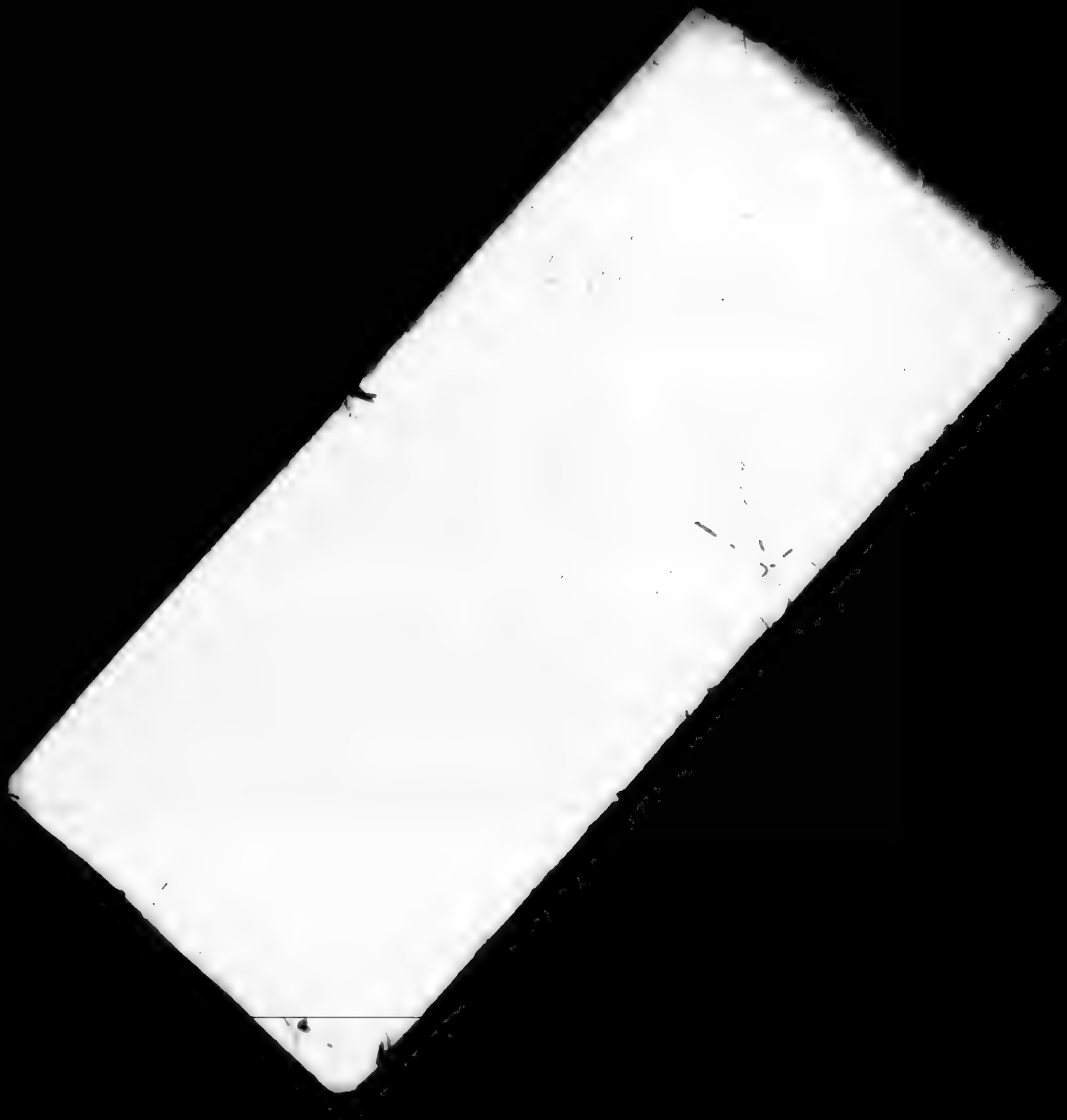
There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 20, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. L-113.

Chairman.



1. What is the purpose of the study?
 2. What are the research questions?

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June 12, 1905

Commission to the Five Civilized Tribes
Tahlequah, T.T.

Sir, Katie Eliza Muskrat was born
June 2, 1880 Calvin Muskrat is her
father Mollie Muskrat ne Toney
was her mother.

She is called as Katie Eliza Muskrat.
The undersigned do here by certify
this to be the disintegrated person as above
mentioned.

Witness

Katie Eliza Muskrat.
F. F. Anthony
W. B. Dugley
her
Sydia Butler
Callie Muskrat
Melinda Toney

Subscribed and sworn before me a
Notary Public this 12 day of June 1905

James M. Edwards
Notary Public

My Commission

Expires Oct. 27, 1906.

Cher 10893
David Tehee

Cher 10893

Application No. _____

218

ORIGINAL

DEPARTMENT OF THE INTERIOR
Commissioner to the Five Civilized Tribes
CHEROKEE ENROLLMENT OFFICE.

Camp Hill
Ohio

Muskogee

APR 3 - 1900 A. D. 190

To the Chief Clerk of the Cherokee Land Office:

This is to certify that the names of the following persons

| ROLL
NUMBER | CARD
NUMBER | NAME | RELATIONSHIP
TO PERSON
FIRST NAMED | AGE | DEGREE OF
BLOOD |
|----------------------|----------------|-------------|--|-----|--------------------|
| 32586 | 10893 | David Teher | | 33 | Full |
| ARBITRARY ALLOTMENT. | | | | | |

ARBITRARY ALLOTMENT.

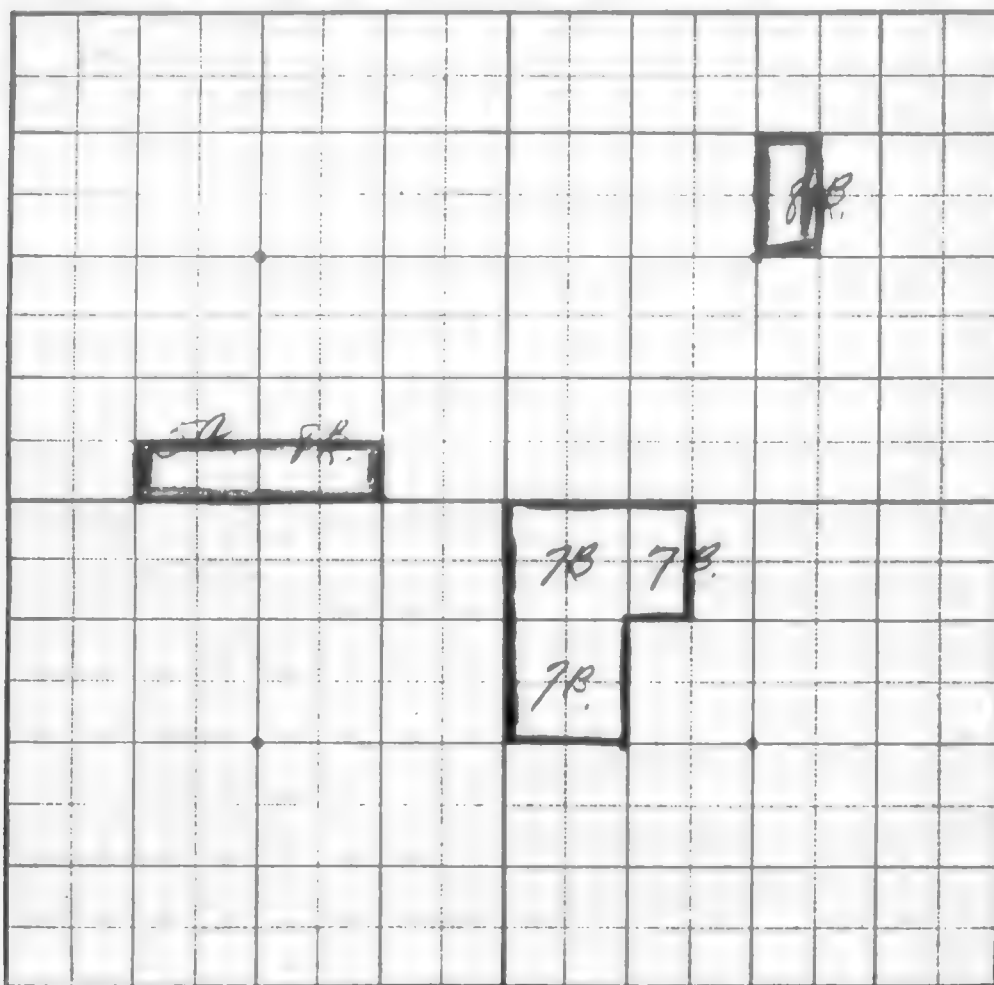
All appear upon the records of the Commissioner to the Five Civilized Tribes as citizens of the Cherokee Nation.

J. S. Wright.

Adv. Cont.

DEPARTMENT OF THE INTERIOR.
Commissioner to the Five Civilized Tribes

Cherokee Nation
Township No. *15* Range No. *21*
Sec. *21* Sec. *23*



Sec. _____

Sec. *34*

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
CHEROKEE LAND OFFICE.

Allotments of land and homestead designations, as hereinafter described, are hereby made to the following named persons:

| ROLL | No. | NAME | Allotment Exclusive of
HOMESTEAD | Sec. Twp. Range | AREA | | Appraised Value | | Certificate
No. | HOMESTEAD | Sec. Twp. Range | AREA | | Appraised Value | | Certificate
No. |
|------|-----|-------------|--|-----------------|-------|-----|-----------------|-------|--------------------|---|-----------------|-------|-----|-----------------|-------|--------------------|
| | | | | | Acres | 100 | Dollars | Cents | | | | Acres | 100 | Dollars | Cents | |
| 3255 | | David Leche | N ^W NE ^W NW ^W | 34 15 R1 | 20 | | 20 | | 70317 | S ² S ² NE ^W SE ^W | 21 15 R1 | 20 | | 4 | | 40064 |
| | | | N ^W NW ^W | 34 15 R1 | 50 | | | | | S ² SE ^W S ² NW ^W | 21 15 R2 | 20 | | | | |
| | | | | | | | | | | N ^W S ² NE ^W | 23 15 R1 | 20 | | | | 40065 |

Arbitrary made in accordance with Com. order of Mar. 31st 1908

Dated at Muskogee
of April

1905

this 10th day

J. Geo. Wright
Commissioner

1113

Commissioner

Allotment #32586.

Muskogee, Oklahoma, January 4, 1910.

Mr. David Teebe,

Campbell, Oklahoma.

Sir:

You are advised that on April 4, 1905, there was selected as your allotment in the Cherokee Nation the following land.

S2 of SW4 of SE4,
S2 of SE4 of SW4 of
Section 21;
W2 of SW4 of NE4 of
Section 23;
W2 of NE4 of NW4, and
W2 of NW4 of Section 34,
Township 15 North, Range 21 East.

Respectfully,

LD

Acting Commissioner.

Cher 10894
James Christie

Cher 10894

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application made for the enrollment
as citizens of the Cherokee Nation of:

James Christie et al. -- Cherokee-D-1703.

-----000-----

THE SECRETARY OF THE ARMY
WASHINGTON, D. C.
JAN 10 1902

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Cher D 1702

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of James Bullett, et al.,
for enrollment as citizens of the Cherokee Nation:

~~EMMETT STARR~~, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Wat Christie, page 425, § 427, Flint District;
Mally Christie, page 425, § 428, Flint District;

Q Are there any other persons for whom you desire to make appli-
cation for enrollment?

A I desire to apply for the following named persons on the 1896
Cherokee roll, their families and their descendants:

James Christie, page 424, § 429, Flint District; Also on
1896 roll, page 425, § 431, Flint District;
Manny Christie, page 425, § 430, Flint District; Also on
1896 roll, page 425, § 432, Flint District;

E. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly received the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. C. Bagwell

Subscribed and sworn to before me this 21 day of July, 1902.

J. P. Kester
Notary Public

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., August 29, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of
James Christie, et al., as citizens by blood of the Cherokee Nation:

ANNIE CHRISTIE, being duly sworn and examined, testified as
follows: Through Interpreter S. R. Walkingstick:
Examination by the Commission:

Q Your name is Annie Christie? A Yes, sir.

Q How old are you? A 32.

Q Your post office address is Tahlequah, Indian Territory?

A Yes, sir.

Q You are a recognized citizen by blood of the Cherokee Nation,
are you? A Yes, sir.

Do you know James Christie? A Yes, sir.

Q What is his post office address? A Wauhatchie.

Q Is James Christie living? A Yes, I haven't heard of his
death; I think he is living all right.

Q About how old is James Christie? A He is about 62 years old.

Q Is he related to you? A Yes, he is a half brother; we have the
same father but different mother.

Q The name of his father was Watt Christie? A Yes, sir.

Q He is dead? A Yes.

Q He was a Cherokee by blood? A Yes, he was a half breed Cherokee.

Q What is the name of the mother of James Christie? A Charlotte
Christie.

Q Is she living? A No, she is dead.

Q Was she a Cherokee by blood? A She was about half breed, I
think.

Q Is James Christie married? A Yes.

Q What is the name of his wife? A Nancy Christie.

Q She is living is she? A Yes.

Q She is a Cherokee by blood? A She is a full-blood.

Q Do you know the name of her father? A Her father's name I
think was Broom, but I can't think of his first name.

Q Is Broom dead? A Yes, he has been dead for quite a while.

Q What is the name of the mother of Nancy Christie? A Her name
was Annie, Annie Broom I suppose, she just died about two years
ago; she was a full-blood.

Q Have James and Nancy Christie some children? A Well, they
only have two children at home, they are grown, but they have one
grand child.

Q What is the name of their oldest child? A Their children at
home are two twins, the girl's name is Charlotte and the boy is
Watt.

Q About how old is Charlotte? A 12 years old.

Q Is she married? A No, she is not married.

Q Watt is the name of your son of course? A Yes, they are twins.

Q Is Watt married? A No, sir.

Q What is the name of this grandchild you speak of? A The name
is Ish-tah-yi Christie.

Q About how old is that child? A She is about 12 years old.

Q What is the name of the father of that child? A Richard
Christie.

Q Is he living? A Yes, he is living.

Q Is Richard Christie a son of James and Nancy Christie? A

Yes, he is a son of James and Nancy Christie.

she thinks maybe he is enrolled.

Q What is the name of the mother of Tah-tah-ye Christie?

A The mother's name is Annie Gittingdown.

Q Is she living? A Yes, she is living up on Pea Vine somewhere.

Q Do you know her present name? A She is now the wife of Isaac Blackwood in Geingsnake.

Q She is a Cherokee by blood is she? A Yes, she is a full-blood.

Q Have James and Nancy Christie some older children? A Yes.

Q What are their names? A The older child is Callie Rattlingourd married a Rattlingourd, lives in Tahlequah district. She is the wife of Charlie Rattlingourd. The next one is Tookah, they called her Ida when they went to school. She is now the wife of Adam Hendricks.

Q The records show that Tookah has been enrolled. Have James and Nancy Christie any other children? A Yes, that Stephen Christie, he don't stay there with them, but he is unmarried.

Q He is living is he? A Yes, sir.

Q James Christie is his father and Nancy Christie his mother?

A Yes, sir.

Q About how old is Stephen? A He is about 30.

Q Have they any other children? A That is all.

Q How long have James and Nancy Christie lived in the Cherokee Nation? A Lived in the Cherokee Nation all their lives.

1880 Authenticated roll of citizens of the Cherokee Nation examined and names of applicants identified thereon as follows:

Page 355, #268, James Christie, Flint district,

Page 356, #269, Nancy Christie, "

Page 356, #282, Stephen Christie, "

1896 Census roll of citizens of the Cherokee Nation examined and names of applicants identified thereon as follows:

Page 655, #451, James Christie, Flint District;

Page 655, #452, Nancy Christie, "

Page 655, #453, Steve Christie, "

Page 655, #457, Wat Christie, "

Page 655, #458, Sally Christie, "

Commission: It is ordered that a copy of this testimony be filed with and made a part of the record in the case of Stephen Christie, Cherokee doubtful case #1704.

---oooOooopp---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this September 9, 1902.

J. O. Rosson
Notary Public.

Cherokee B-703.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, Ind. Ter. November 17, 1903.

In the matter of the application of James Christie for the enrollment of himself, his wife Nancy Christie, and his children, Wat and Sally Christie, as citizens by blood of the Cherokee Nation.

Martin Hopper, being duly sworn, and examined by the Commission, testified as follows through Interpreter, Richard Taylor:

- Q Give your full name. A Martin Hopper.
Q What is your postoffice? A Stilwell.
Q Do you know James Christie who lives at Waukillau? A Yes sir.
Q Do you know his wife? A Yes.
Q What is her name, Nancy? A Yes sir.
Q How near to them do you live? A About five miles.
Q Do you know their children? A Yes sir.
Q What are their names? A Wat; Charlotte.
Q Do you know if this Charlotte is sometimes called Sallie? A I don't know.
Q About how old is Charlotte? A Along about nineteen, I think.
Q You say they have a child living with them by the name of Tarkye Christie? A Yes sir.
Q Do you know that child's mother's name? A Nancy Gettingdown.
Q Is Nancy Gettingdown a Cherokee? A Yes sir.
Q Full-blood? A Yes.
Q Is she living? A Yes.
Q What is her name now, do you know? A I don't know what name she goes by now. She lives over in Goingsnake.
Q How long have you known Nancy Gettingdown? A Along about 10 years.
Q What district has she lived in? A She lived in Flint and then sometimes in Goingsnake.
Q Do you know what name she will be enrolled under in 1880? A No sir, I don't.
Q Have James and Nancy Christie any other children except Wat and Charlotte? A They have other grown children; they are married.
Q Do they have any child named Sallie? A They have one named Nellie. I guess they call her Sallie.
Q Have you ever heard Charlotte called Sally? A It seems to me I have heard them call her Sallie.
Q Do you know Stephen Christie? A Yes.
Q Who is he? A That is Jim Christie's son.
Q How old is Stephen? A Along about twenty or twenty-one years.
Q He is the son of James and Nancy Christie, is he? A Yes sir.
Q How long has Stephen been living in the Cherokee Nation all his life? A Yes, all his life.
Q Where is he living now? A He ~~stays~~ stays up there in Flint District.
Q Do you know Tookah Christie? A Yes sir.
Q Who is she? A She is a daughter of his. She is married and lives in Tahlequah District.

It appears that Tookah Christie has been enrolled by this Commission.

Copy of this testimony will be filed and made a part of the record in Cherokee B-1704, Stephen Christie.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

B. J. Hunter

Subscribed and sworn to before me this 23rd day of November, 1905.

Samuel Foreman

Notary Public.

See Cherokee 946- Nancy Christie

FILED
MAY - 2 1905
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE ENROLLMENT FIELD PARTY.
10 MILES WEST OF STILLWELL, I. T.
MARCH 27, 1905.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of JAMES CHRISTIE ET AL., as citizens by blood of the Cherokee Nation.

NANCY CHRISTIE, being called, and after having refused to be sworn, made the following statements to the questions asked, through interpreter, JAMES MUSKRAT:

BY THE COMMISSION:

- Q What is your name? A Nancy Christie.
Q What is your age? A I don't know my age.
Q Are you the wife of James Christie? A Yes sir.
Q Have you and James Christie lived ever since 1880 in the Cherokee Nation? A I don't know anything about the date but we have been married ever since the war.
Q Have you lived in the Cherokee Nation ever since you have been married? Yes sir.
Q Have you got two children, Watt and Charlotte, each about 20 years old? A Yes sir.
Q Is Charlotte frequently known as Sallie? A Yes sir.
Q Sallie and Charlotte are the same child? A Yes sir.
Q Were these two children born and raised in the Cherokee Nation? A Yes sir, they are twins.
Q Are they your children by your husband James Christie? A Yes sir.
Q What is the age of your husband James Christie? A I don't know.
Q Are you and James Christie and your children citizens by blood of the Cherokee Nation? A Yes sir, we are full bloods. I don't want to answer anything else.
Q Have you got any other children besides Watt and Sallie? A I won't say whether I have or not,---- Yes sir I have some children already married, elder ones.
Q Have you got a grand-child by the name of Tah-tah-ye? A Yes sir.
Q Who is the father of that child? A The father of this Tah-tah-ye is the same name as him.
Q What is his given name? A Dick Christie.
Q What is the name of its mother? A Annie Christie.
Q Is this Tah-tah-ye Christie about 16 or 17 years old? A I don't know anything about when the census was taken in 1896, I don't want to answer anything else.
Q Do you belong to that class of Cherokee citizens that oppose the enrollment work? A Yes sir.

The applicants, James Christie, Nancy Christie, Watt Christie, and Charlotte Christie, otherwise known as Sallie Christie, are identified on the 1896 Cherokee Census Roll, Flint District, Nos. 451, 452, 457, and 458 respectively.

The applicants, James Christie, and Nancy Christie, are also identified on the 1880 Cherokee Tribal Roll. These applicants are listed for enrollment from information on Cherokee D-1703, together with their grand-child, Tah-tah-ye Christie, who doubtless has been finally enrolled with her parents.

-----Att-000-----

George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lessley

Subscribed and sworn to before me this 1st day of May, 1905.

Myron White

Notary Public.

FD 13
Hobbs

Cherokee-D-1703.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application made for the enrollment
of James Christie et al. as citizens of the Cherokee Nation.

ORDER.

The record in this case shows that on June 30, 1902 Benet Starr appeared before the Commission, at Muskogee, Indian Territory, and made application for the enrollment, as citizens of the Cherokee Nation, of James Christie, Nancy Christie, Wat Christie, and Charlotte Christie. The said James Christie and Nancy Christie were duly identified upon the 1880 Cherokee authenticated tribal roll, Flint District; and that the children, Wat and Charlotte Christie, being born since the said 1880 roll was made, were duly identified upon the 1896 Cherokee Census Roll, Flint District, the said Charlotte being identified upon said Census Roll under the name of Sally Christie, and they were listed on Cherokee Doubtful card No. 1703.

It is further shown from the record herein that the residence of the said James Christie and Nancy Christie has been continuous in the Cherokee Nation from the date of their enrollment, in 1880, up to and including September 1, 1902. The residence of the minor children, Wat and Charlotte Christie, is considered to be the same as that of their said parents.

It is, therefore, ordered that Cherokee Doubtful card No. 1703 be cancelled; and that James Christie, Nancy Christie, Wat Christie, and Charlotte Christie be transferred to a straight card; and that the record in the said Cherokee Doubtful case be transferred to the straight case.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Muskogee, Indian Territory,

MAY 17 1905

*Enrollment card 5/19/05
W. H. Hobbs
atg for the Nat.*

Cherokee D-1703.

Tahlequah, Indian Territory, January 23, 1904.

Richard Christie,

Vauhilla, Indian Territory.

Dear Sir:

You are requested to inform the Commission whether your daughter, Nancy Christie, whom you had enrolled with your family as citizens of the Cherokee Nation, is the same as Tah-tah-ye Christie, alleged to be your child, and living with its grandparents, James and Nancy Christie.

Will you please give this matter your prompt attention?

Respectfully,

OWI

COPY.

Cherokee D-1703.

Muskogee, Indian Territory, January 14, 1905.

James Christie,

Wauhatchie, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of your child, Sallie Christie, as a citizen of the Cherokee Nation, it will be necessary for you or some member of your family to appear before this Commission and give testimony relative to her enrollment as such citizen.

This matter should receive your immediate attention.

Respectfully,

Register.

(SIGNED).

Tamr Pixby
Chairman.

CHER 10895

DAVE JOHNSON

CHER 10895

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
DAVE JOHNSON
as a citizen of the Cherokee Nation.

CHEROKEE D 2180

RECEIVED BY THE DIRECTOR OF THE BUREAU OF INVESTIGATION
JAN 10 1932

TO THE DIRECTOR OF THE BUREAU OF INVESTIGATION
FROM THE DIRECTOR OF THE BUREAU OF INVESTIGATION

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TO THE DIRECTOR OF THE BUREAU OF INVESTIGATION
FROM THE DIRECTOR OF THE BUREAU OF INVESTIGATION

TO THE DIRECTOR OF THE BUREAU OF INVESTIGATION
FROM THE DIRECTOR OF THE BUREAU OF INVESTIGATION

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TO THE DIRECTOR OF THE BUREAU OF INVESTIGATION
FROM THE DIRECTOR OF THE BUREAU OF INVESTIGATION

TO THE DIRECTOR OF THE BUREAU OF INVESTIGATION
FROM THE DIRECTOR OF THE BUREAU OF INVESTIGATION

RECEIVED BY THE DIRECTOR OF THE BUREAU OF INVESTIGATION
JAN 10 1932

TO THE DIRECTOR OF THE BUREAU OF INVESTIGATION
FROM THE DIRECTOR OF THE BUREAU OF INVESTIGATION

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Cher D-2180

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

ERNEST STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Ernest Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Q Are there any other persons for whom you desire to make appli-
cation for enrollment?

A I desire to apply for the following named persons on the 1896
Cherokee roll, their families and their descendants:

Dave Johnson, page 704, #710, Sequoyah district.

E. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above case, and that
the foregoing is an accurate statement of his stenographic notes
thereof.

E. C. Bagwell

Subscribed and sworn to before me this 14 day of August, 1902.

[Signature]

APR 21 1906
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE ENROLLMENT FIELD PARTY.
SALLISAW, I. T., MARCH 31, 1905.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of DAIVE JOHNSON as a citizen by blood of the Cherokee Nation.

EPHRIAM VANN, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A Ephriam Vann.
- Q What is your age? A 35.
- Q What is your post office address? A Brushy, I. T.
- Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
- Q How long have you lived in Sequoyah District? A About 16 years.
- Q Do you know a boy by the name of Daive Johnson? A Yes sir, I know one boy by that name.
- Q What was the name of his father? A George Johnson.
- Q What was the name of his mother? A I don't know.
- Q Were they Cherokees by blood? A Yes sir, George Johnson was.
- Q Is Daive Johnson, the boy to whom you refer a Cherokee by blood? A Yes sir.
- Q Do you know how much Cherokee blood he has? A Nearly a full blood, half anyway.
- Q Was he born in the Cherokee nation? A I suppose so, I got acquainted with him when he was about 6 or 7 years old.
- Q Where was that? A In Flint District.
- Q Has he lived ever since you first knew him in the Cherokee Nation? A Yes sir, only of late years.
- Q What do you mean by late years? A I mean he was scouting here, he has been on the dodge from the officers here for the last few years.
- Q Has his home been in the Cherokee Nation ever since you knew him? A Yes sir.
- Q If he has been out of the Cherokee Nation it was for the purpose of evading arrest? A Yes sir.
- Q Has he ever made a home outside of the Cherokee Nation? A No sir.
- Q About how old is he? A About 34 or 35.
- Q Was he living in Sequoyah District in 1880? A I suppose he was, I will say this, I was living here then myself and he was here then.
- Q He was living here in 1880 was he? A Yes sir.
- Q If he is on the 1880 Roll it would be in Sequoyah District? A Yes sir.
- Q Is he the only Daive Johnson you ever knew in Sequoyah? A Yes sir.
- Q Is he living at present? A Yes sir, I suppose so, he was three months ago.
- Q Where was he living? A Down here at Muldrow.
- Q Do you know whether or not he is on the final roll made by the Dawes Commission? A No sir, I don't know, doubtless he isn't, he has been scouting from the officers.
- Q Why has he been scouting? A First started out for stealing cattle.
- Q About how long has he been scouting? A 7 or 8 years.
- Q Do you know whether or not he was on the scout when the 1896 Cherokee Census Roll was made? A I couldn't say, I don't remember.
- Q You don't remember the exact date he began to evade arrest? A No sir, I don't.

- Q Do you know whether or not he has been arrested up to date?
A Yes sir, he was arrested about two or three months ago.
Q What was done with him? A He was taken to Vinita Jail the last account I had of him.
Q Has he ever gone by any other name except Daive Johnson that you know of? A None that I know of.
Q You don't know whether he has had any alias since he has been on the scout? A No sir, I don't.
Q With whom does he make his home when not on the scout? A I couldn't tell you, before he scouted he made his home in Illinois District.
Q Do you know in what District he would be enrolled if his name appears on the 1896 Roll? A No sir, I couldn't tell you unless it would be in Illinois District.
Q You think if his name is on the 1896 Roll it would be in Illinois District? A Yes sir.
Q You don't know whether or not he is on the final roll? A No sir I don't.
Q You say he married? A Yes sir.
Q Is his wife living? A Yes sir.
Q What is her name? A He married a widow, her name was Aggie Christie.
Q Are they still living together? A No sir, they separated.
Q Has she married since then? A No sir, I don't know, she may be for all I know.
Q But this Daive Johnson is living and has been living in the Cherokee Nation ever since 1880? A Yes sir.
Q Were you personally acquainted with him? A Yes sir.
Q How long did you know him? A For about 25 years anyway.
Q To your knowledge he has never made a home outside of the Cherokee Nation in that time? A No sir.
Q Do you know whether or not he has been tried for his offense?
A No sir, I don't know.

The applicant, Daive Johnson, is identified on the 1880 Cherokee Tribal Roll, Sequoyah District, No. 710, and is listed for enrollment from information on Cherokee D-2180.

-----oOo-----

George H. Lesley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lesley

Subscribed and sworn to before me this 20th day of April, 1905.

Myron White
Notary Public.

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FILED

MAY 5 1935

COMMISSION TO FIVE TRIBES

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Cherokee D-2180.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE ENROLLMENT FIELD PARTY.
SALLISAW, I. T., APRIL 12, 1905.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of DAIVE JOHNSON as a citizen by blood of the Cherokee Nation.

CHARLEY LOWREY, being first duly sworn, testified as follows through interpreter, JAMES MUSKRAT:

BY THE COMMISSION:

- Q What is your ~~name~~ name? A Charley Lowrey.
- Q What is your age? A 33.
- Q What is your post office address? A Bunch, I. T.
- Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
- Q Have you been finally enrolled as a citizen of the Cherokee Nation? A Yes sir.
- Q Have you taken your land as a citizen? A Yes sir.
- Q What was the name of your father? A George Lowrey.
- Q What was the name of your mother? A Annie Lowrey, she is now dead.
- Q How long has she been dead? A Been about 28 or 29 years ago since she died, I was quite small.
- Q Is your father living? A Yes sir.
- Q Has he been finally enrolled? A Yes sir.
- Q Are you acquainted with a boy by the name of Daive Johnson?
- A Yes sir.
- Q About how old is he? A About 35 years old.
- Q Is Daive Johnson living? A He was living two years ago, but now I couldn't say whether he is living or not.
- Q Is Daive Johnson related to you? A He is a cousin of mine, our mothers were sisters.
- Q What was the name of the father of Daive Johnson? A George Johnson.
- Q What was Daive's mother's name? A I think it was Lula Johnson.
- Q Is the father and mother of Daive Johnson living? A No sir, both dead.
- Q Has Daive Johnson any brothers or sisters? A He had some but they are dead.
- Q Is Daive Johnson married? A Yes sir, his wife is dead.
- Q How long has she been dead? A I don't remember, I think it has been about two or three years since she died.
- Q What was her name? A Akie Johnson I think.
- Q When was Daive Johnson married to Akie? A I don't know the exact date but I think they lived together about two years, maybe a little longer than two years before she died.
- Q And she has been dead about 3 years? A Yes sir.
- Q Did Daive Johnson and his wife Akie have any children? A Yes sir only one.
- Q Is that child living or dead? A It is living with a family out west of here, it is living with Charley Smith.
- Q What is Charley Smith's post office address? A Stilwell, I. T.
- Q Do you know when this child was born? A No sir.
- Q How old is the child at present? A I can't tell the exact age.
- Q About how old is the child? A I think it is about 7 or 8 years old, the child was born before he married the woman. They just took up to get her and was never lawfully married.
- Q Was this Akie Johnson the wife of Daive Johnson a Cherokee by blood? A Yes sir.
- Q Do you know who the father of this child was? A No sir.

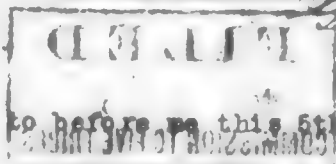
- Q What is the name of this child? A I think its name is Tick-a-na-tuca Vann.
- Q You don't know the father of this child? A No sir.
- Q What was the name of the child's mother before she and Dave Johnson were married? A Akie Foster I think is the name, she has a brother by the name of Jim Foster, I suppose her name was the same, that is all I know about it, I think she and Jim were full brothers and sisters.
- Q Do you know who the father of Akie Foster was? A No sir.
- Q Do you know in what District Akie Foster or Akie Johnson was living when the 1880 Roll was made? A I think it was in Illinois District.
- Q How long was it before Akie Foster and Dave Johnson were married that this child was born? A I don't know, they lived here and in in Illinois District but I don't know.
- Q This child is living at present with Charley Smith near Stilwell, I. T.? A That is the way I understand it, I heard just a few days ago the child was living with Charley Smith.
- Q Is the child named Vann or Foster? A Yes sir, that would be the English of it.
- Q This child you speak of, is it a boy or girl? A It is a boy.
- Q Do you know whether this boy to whom you refer, the son of Akie Foster, has been finally enrolled by the Dawes Commission? A No sir, I don't know.
- Q Did Dave Johnson have any children by his wife Akie? A That is the only child I know of, just this one.
- Q Do you know where Dave Johnson is at the present time? A No sir.
- Q Where was Dave Johnson born, in the Cherokee nation? A Yes sir born in Sequoyah District.
- Q Was he living in Sequoyah District when the 1880 Roll was made? A I couldn't say, he was either in Sequoyah or Illinois.
- Q Has Dave Johnson ever lived outside of the Cherokee Nation? A He has been in the Territory all the time except one time he went to Little Rock to the penitentiary.
- Q He has never established a home outside of the Cherokee Nation? A No sir, after he returned from the penitentiary he has been in trouble ever since.
- Q What is the cause of your not knowing the present whereabouts of Dave Johnson? A It is simply because he is in some trouble and is on the scout and has been ever since he has been out of the penitentiary.
- Q How long has he been on the scout? A It has been something like two years.
- Q What charge is against him? A Stealing a horse.
- Q In what District was Dave Johnson in when the 1896 Cherokee Census Roll was made? A Living in Illinois District at that time I think, I will not be positive he may have been in the Little Rock penitentiary at that time.
- Q Do you know whether or not his name appears on the 1896 Census Roll? A No sir, I don't know positively.
- Q Where does Dave Johnson make his home when he is not on the scout? A In Illinois District.
- Q What post office? A Vian.
- Q With whom does he live there? A Lives at his own home, he has a farm there.
- Q Does he live by himself? A Lives with his wife.

- Q I thought his wife was dead? A The last time I was over there he had a home of his own and was living at that time there, and since that I couldn't say. I couldn't say just what date that was.
- Q To the best of your information was Dave Johnson living in September 1, 1902? A Yes sir, it is my best recollect that it was either in 1901 or 1902 is when the last time I saw him.
- Q Dave Johnson's father and mother are both dead, and his wife is dead? A Yes sir.
- Q And he has no brothers or sisters living? A He has one brother living.
- Q What is his name? A George.
- Q Is George his brother, George Johnson? A Yes sir George is a half brother of this Dave Johnson but different mother.
- Q Where does George live? A He lives on Lee's Creek.
- Q Is his name George or Ben Johnson? A It is George, Ben is not living.
- Q What is George Johnson's post office address? A I don't know for sure, I would not be positive whether it is Long, I. T., or Uniontown, Arkansas.

Dave Johnson is identified on the 1880 Cherokee Tribal Roll, Sequoyah District, No. 710, and is listed for enrollment from information on Cherokee D-2180.

-----oOo-----

George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.



Subscribed and sworn to before me this 5th day of May, 1905.

Myron White
Notary Public.

FILED

JUN 12 1905

COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.
Tahlequah, I. T., May 2, 1905.

In the matter of the application for the enrollment of
Daive Johnson as a citizen by blood of the Cherokee Nation.
No. D-2180.

WILLIAM E. JOHNSON, being duly sworn and examined by
the Commission, testified as follows:---

- Q What is your name? A William E. Johnson.
Q How old are you? A I was born in '55. I don't know whether
to give it 49 or 50.
Q What is your post-office? A Rose.
Q Are you a Cherokee by blood? A Yes sir.
Q Do you know a man by the name of Daive Johnson? A Yes sir.
Q Do you know where he is at the present time? A No sir. I
don't know where he's at.
Q When did you first learn to know him? A Why, it must have
been 1883 or 4 or probably 5. I don't remember the date
exactly. It was sometime along about that.
Q Where was it you knew him? A He come to my house.
Q Whereabouts is that? A In Flint District, Cherokee Nation.
Q About how old a man was he then? A He was a boy then.
Q How about how ~~many~~ old would you have judged him to be? A
A About 12 or 13 years old. I would judge that from the size
of him.
Q Did he stay at your house a while? A Yes sir.
Q How long? A He stayed there about a year I guess.
Q Do you know who his parents were? A Why, George Johnson,
he claimed, was his father, and his mother, or who he said
his mother was, some called her Stools and others Sittingdown
I don't know which was her right name.
Q Do you know whether his mother was a Cherokee by blood or not
A This family were fullbloods or looked to be.
Q About what degree of blood did Daive Johnson seem to have?
A The best information I could give, ~~that~~ he was about 3/4
Cherokee. His mother was a fullblood and his father just a
half Cherokee.
Q Did he have all the traits of a Cherokee by blood? A Yes
sir.
Q Did he talk the Cherokee language? A Yes sir. He didn't
hardly talk any other language when he came to my house.
Q You never knew anything about his mother of your own know-
ledge? A No sir. I knew this Blue Buzzard or Sitting-
down. I don't know whether he was an uncle or cousin or some
boy.
Q Did you know George Johnson? A Yes sir.
Q Is he related to you? A He's my uncle.
Q He was a Cherokee you say? A Yes sir.
Q Is he living? A No sir.
Q Do you know whether George Johnson ever recognized the Daive
Johnson you speak of as his child? A I can't say positive-
ly he did. He had several out children. He always called
them his "so-called" sons or daughters, but I would be wil-
ling to almost swear that this was his son, by his own looks.

- I would take that back. He was a Johnson and favored the family.
- Q Did this boy ever live in the family of George Johnson?
A Not as I know of.
- Q How long has George Johnson been dead? A I don't remember whether it was '82 or '83. Somewheres along about there.
- Q Do you know where this boy went after he left your house?
A He stayed with a man by the name of Garvin for sometime and I supposed he left there and went back to Sequoyah.
- Q Is Sequoyah where his mother lived? A Yes sir.
- Q You don't know what became of him after that do you? A I never saw him but once after that. It was in the Spring before the Strip Money was paid out at the Flint Court House. He came to my house and then he was back there just before the payment. The Payment was in June or July. Just a short time before that he was at my house and I never have saw him since, or heard of him but once that I remember about.
- Q You don't know whether he ever drew money from the Cherokee Nation or not do you? A Nothing more than I went his credit for that horse and it was to be paid from the Payment and the parties never demanded pay from me.
- Q Do you know Ben Johnson? A Yes sir.
- Q Is he a relative of yours? A Yes sir, he's a cousin of mine.
- Q What relation is he to George Johnson? A He's a nephew. He is recognized or supposed to be.
- Q Do you know whether the Daive Johnson you speak about ever lived with Ben Johnson? A No sir. I don't know whether he ever lived with him.
- Q Do you know Aikey Foster? A I knew the family of this woman, that is, I knew the old lady. I never knew the children.
- Q And you don't know anything about the residence in the Cherokee Nation of the Daive Johnson you speak about?
A No sir, not since that Payment.
- Q Did you ever hear whether his mother was dead or not? A No sir.
- Q Did George Johnson have several children? A Yes sir. He had several children. George Johnson and Lee Johnson living yet, and he has a daughter living in Fort Smith, now by the name of Alkie Theurer, or was the last time I heard of her, and I suppose has another daughter in Canadian and I never saw her since she was a child.
- Q Do you know of any of the other "so-called" children of George Johnson? A Yes, there was one named George. His mother was a Goss.
- Q Do you know what name he was know by? A No sir. He had a daughter named Jennie, I believe. She married a man named Johnson and lived in Canadian District.

Joe Chambers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony in this case, and that the above

JON

-3-

Cherokee D-2180

and foregoing is a true and complete copy of his stenographic notes.

Subscribed and sworn to before
me this 3rd day of June, 1905.

Joe Chambers
Notary Public

JC

Cherokee D 2180

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Dave Johnson as a citizen of the Cherokee Nation.

---:--

O R D E R .

IT APPEARS TO THE RECORDS OF THE COMMISSION: That, on June 30, 1902, Homet Starr appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of Dave Johnson as a citizen of the Cherokee Nation, and his name was listed on Cherokee D card 2180. Additional proceedings were had in the matter of said application at Sallisaw, Indian Territory, on March 31, and April 12, 1905.

THE EVIDENCE IN THIS CASE SHOWS: That Dave Johnson is a Cherokee by blood, is duly identified upon the 1880 authenticated Cherokee roll, and has resided continuously in the Cherokee Nation from 1880 up to and including September 1, 1902, with the exception of a temporary absence while confined in the penitentiary at Little Rock, Arkansas.

IT IS THEREFORE ORDERED: That the enlistment of Dave Johnson for enrollment as a citizen of the Cherokee Nation on Cherokee D card 2180 be cancelled, and that he be listed for enrollment as a citizen by blood of the Cherokee Nation on a Cherokee straight card.


Chairman

Dated at Muskogee, Indian Territory,
this MAY 17 1905

INDEXED.

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... and (...) ...
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2100

COMMISSIONERS.

TAMM HIXBY,
THOMAS B. WHEELER,
C. E. BRACKENRIDGE

WM. O. BRALL,
Secretary.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPIES IN REPLY TO THE FOLLOWING:

Cherokee-B-2180.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory. January 16, 1906.

Nancy J. Johnson,

Hanson, Indian Territory.

Dear Madam:

Applications have been made to this Commission for the enrollment of Daive Johnson and Cornelius Johnson as citizens of the Cherokee Nation. Their names appear upon the 1880 Cherokee tribal roll along with yours, in Sequoyah District. Doubtless you may know something of them.

If you know whether they are living, will you please inform the Commission, as early as possible, as to their whereabouts, in order that proper steps may be taken to complete their applications for enrollment.

Respectfully,



Chairman.

Lager Creek Ark

Feb 21 1885

Commissioner of the Civilized Tribes
The reached me yesterday with
a letter in regard to the whereabouts of Dair
Dair Johnson, and Cornelius Johnson. That I
do not know the parties mentioned, you
will find on the 1880 Cherokee Tribal Roll
that my name Nancy Johnston appears as Albert
M. Johnston's daughter. Also Susan C. Johnston,
and Stone-wall J. Johnston. I never heard
of Dair Johnson, and Cornelius Johnson.
Altho they were living in Sequoyah
District when the 1880 roll was made.
Hoping this is satisfactory.

Respt.

Nancy Campbell, formerly Johnston,

Sallisaw, Indian Territory, March 31, 1905.

Commission to the Five Civilized Tribes,
(Cherokee Enrollment Division),
Muskogee, Indian Territory.

Gentlemen:

Since our last report we have taken testimony in the following cases:

C.D.-2139-- Canahie, which shows the applicant to have died prior to September 1, 1902.

C.D. 2380-- Mary Weaver, now Mary Eversalts, which evidence tends to show that the applicant may be a duplicate.

C.D. 2187-- Willie Mitchel, which shows the applicant to have died prior to September 1, 1902.

C.D. 2199, Tom Russell, which shows the applicant to have died prior to September 1, 1902.

C.D. 2180, Daive Ednson, which shows the applicant to have been on the scout but is now in Jail at Vinita, Indian Territory.

C.D. 2198, Jim Fardus, which shows the applicant to have died prior to September 1, 1902.

C.D. 3064, Mary Chu-su-late, which shows that this applicant is now living and belongs to that class of citizens who oppose the allotment of lands.

Respectfully,

F. P. Branson.

6 D 2180

Received April 14, 1905.

Branson, Fred P.
Vian, I.T.,
Cherokee Nation,
April 12, 1905.

Report of Field Party.

Cherokee Enrollment.

Wian, Indian Territory, April 12, 1905.

Commission to the Five Civilized Tribes,

(Cherokee Enrollment Division),

Muskogee, Indian Territory.

Gentlemen:

Since our last report we have taken testimony in the following cases:

C.D. 1962 -- Lucy McCoy. Applicant living and doubtless on the final roll as Lucy Pettit.

C.D. 2180 -- Dave Johnson. As to identity and residence.

C.D. 1709 -- Annie Coorum. As to identity--insufficient.

C.D. 2208 -- James Sittingdown. As to identity -- insufficient.

C.D. 1711 -- Elsie Cochrum. Applicant living and doubtless on the final roll under the name of Elsie Elders.

C.D. 1723 -- Scott French. As to identity, doubtless a duplicate.

C.D. 1724 -- Annie French. As to identity, doubtless a duplicate.

C.D. 1760 -- Catherine Rainwater. As to identity, may be a duplicate of Catherine Peek.

C.D. 1971 -- William and Lydia Otter. Both applicants died prior to September 1, 1902.

C.D. 1932 -- Eh-oo-lah-out? Applicant died prior to September 1, 1902.

C.D. 1921 -- James Choate. Applicant died prior to September 1, 1902.

Respectfully,

Fred P. Branson.

Leavenworth, Kans. Apr. 30th, 1905

Daws Commission:

Sirs:

I want to know if my name is on the Rolls and if my citizenship is in question with you or not. I have never Rec. my allotment. I am a Cherokee by full blood and have lived all my life in the Cherokee Nation Sequoyah Dist. My name is Dave Johnson. I am the Son of George Johnson Dec. a Cherokee Indian. My Mother was name Jogohsee a full Blood Cherokee. She lived in Sequoyah Dis. I am one of the unfortunate Indians. I have been Detained from Selecting my allotment by a Lawyer and other people telling me I could not get an allotment.

My sister had my name Enrolled on the old roll as George Johnson where it should have been Dave Johnson now I have never been enrolled and the new roll for I was in the Little Rock Penitentiary in 1902, then you was around with the new roll. I have Been married and have one child his name is Frank Johnson 12 years of age and lives with H. V. Meadows, Stillwell, I.T., 1 mile E. My Boy has never Rec. his allotment so you see I am here confined in Prison for 5 years and I will have no chance to attend to this for myself and Boy and I will not depend on any more Lawyers for they will only beat me it is not my fault by me not having Selected my allotment for I have been misled by others.

Now I will depend on you to advise me what course to pursue and to select my allotments for me and my Boy. I will furthermore state I have drew money from the Grass Land in the Cherokee

Strip some time ago.

My Sister Mary Silk Deceased lived at Muldrow, I. T. her husband lived on Skin Byo, Sequah Dis. if you will write to Second Chief Stene Teehee he can tell you all about it for he knew all of my Bro. Sisters & Father & Mother. You will find my mothers sisters name on the old Roll as Betsy & Annie Baldrich Betsys name I do not know. They have been dead 25 or 30 years. When I was a boy I lived with John Nelson he was my half Bro. he drew my money for me and Bill Nelson was my half Bro. if you will find my half Bro. name you can find mine also. Now you see what I wish to learn so you will oblige me very much indeed by assisting me in any way you can.

Yours very respectfully

Dave Johnson

4432 Reg. No.

COPY.

C.D. 2180

Muskogee, Indian Territory, May 9, 1905.

Dave Johnson, Reg. No. 4430,
Postoffice Box No. 7,
Leavenworth, Kansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 30, 1905, wherein you requested to be informed whether or not application has been made for your enrollment as a citizen of the Cherokee Nation.

In reply thereto you are advised that on June 30, 1902, Emmet Starr appeared before this Commission and made application for your enrollment, but as yet no decision has been prepared in your case. As soon as same is rendered you will be duly notified.

Respectfully,

Chairman.

12811-1908.
Cherokee-10896.

Muskogee, Oklahoma, May 11, 1908.

Mr. Dave Johnson,
Box No. 7,
Leavenworth, Kansas.

Sir:

Receipt is acknowledged of your letter of April 26, 1908, asking information relative to the enrollment of your children, George and Frank Johnson, as citizens of the Cherokee Nation. You also request to be furnished with deeds describing your allotment selection in the Cherokee Nation.

In reply you are advised that no record can be found of any application having been made for the enrollment of George Johnson as a citizen of the Cherokee Nation within the time provided by law. The name of Frank Johnson is identified upon the roll of citizens of the Cherokee Nation, approved by the Secretary of the Interior, opposite No. 20996. No allotment selection has been made for said child.

Deeds describing your allotment selection have not as yet been prepared and it will probably be several months before they are ready for delivery.

Respectfully,

Cher 10896

Kinny Vann

Cher 10896

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
KINNY VANN
as a citizen by blood of the Cherokee nation.

CHEROKEE D 2972

R
Cher 2972

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Kinny Vann #2024 Illinois District
also on 1880 roll page 398 #1373 Flint District as Coney Vann.

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

E. C. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this December 4, 1902.

E. C. Bagwell
Notary Public.

...on each of the ...

THE UNIVERSITY OF CHICAGO

1. The first of these is the fact that the
2. second of these is the fact that the
3. third of these is the fact that the
4. fourth of these is the fact that the
5. fifth of these is the fact that the
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7. seventh of these is the fact that the
8. eighth of these is the fact that the
9. ninth of these is the fact that the
10. tenth of these is the fact that the

FILED
AUG 4 1902

the following named persons on the 1898 Census List,
and that he desires to have his name placed on the list for enrollment.

THEY ARE NOT ONLY THE BEST BUT THE MOST ECONOMICAL AND CONVENIENT FOR THE TRAVELER.

Identify all officers of the Colorado Nation;
the father of the application of 1948 subject. E. 77

Received, Jan. 20, 1905.
Commission to the State Classified, Bureau
Department of the Interior.

TO THE FIVE CIVILIZED TRIBES
FILED
AUG 4 1902



the following named persons on the 1898 Census List,
and that he desires to have his name placed on the list for enrollment.

THEY ARE NOT ONLY THE BEST BUT THE MOST ECONOMICAL AND CONVENIENT FOR THE TRAVELER.

Identify all officers of the Colorado Nation;
the father of the application of 1948 subject. E. 77

Received, Jan. 20, 1905.
Commission to the State Classified, Bureau
Department of the Interior.

R
Cher B 1702

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES HUBERT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

ERNEST STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Ernest Starr.
Q What is your age? A Fifty one years.
Q What is your post office address? A Chermore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1860 Cherokee roll
their families and descendants:

Q Are there any other persons for whom you desire to make appli-
cation for enrollment?

A I desire to apply for the following named persons on the 1860
Cherokee roll, their families and their descendants.

Coney Vann, page 200, # 1373, Flint District;
Note: "Lives in S. S. Dist".

E. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings in the above entitled case, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

E. Bagwell

Subscribed and sworn to before me this 2 day of August, 1902.

[Signature]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., November 3, 1902.

In the matter of the application for the enrollment of
Kinny Vann as a citizen by blood of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

JOHN ISRAEL, being sworn, testified as follows:

By the Commission,

- Q What is your name? A John Israel.
- Q Your postoffice is Braggs, Indian Territory? A Yes, sir.
- Q How old are you? A Twenty-nine.
- Q You are a recognized citizen by blood of the Cherokee Nation, are you? A Yes, sir.
- Q You have been employed by this Commission as an interpreter, have you? A Yes, sir.
- Q Do you know Kinny Vann, a young man now about twenty-seven years of age? A Yes, sir, I know a young man of that name and about that age.
- Q Is he a Cherokee by blood? A Yes, sir.
- Q Do you know about what degree of Cherokee blood he has? A Only just he looks to be near about half blood, is about all I know.
- Q He passes for a half blood, does he? A Yes, sir, I think he does.
- Q Where does he reside? A Vian.
- Q That's in Illinois District? A Yes, sir.
- Q Is Kinny Vann a recognized citizen by blood of the Cherokee Nation? A Yes, sir, I think he is.
- Q Do you know the name of his father? A No, sir.
- Q Do you know the name of his mother? A No, I don't believe I do.
- Q Do you know whether or not they are living? A No, sir, I don't. I never heard his rights questioned as a citizen.
- Q That is Kinny Vann's rights? A Yes, sir.
- Q Do you know how long he has resided in the Cherokee Nation? A No, sir, I don't.
- Q Do you know in what District he was residing in 1880? A No, sir.
- Q You don't know how long he has resided in Vian? A No, sir, I don't.
- Q Does Kinny Vann belong to a class of citizens of the Cherokee Nation who are opposing the matter of enrollment? A Yes, sir.
- Q Have you seen Kinny Vann lately? A Yes, sir, I saw him week before last; that would be about - well, I don't know just what day it was.
- Q Along about the 22nd or '3rd of October? A Maybe the 25th, somewhere along there.
- Q Is Kinny Vann married? A Not that I know of.
- Q You don't know whether or not he has any children? A No, sir, I don't.
- Q Did Kinny Vann state to you that he had not been listed for enrollment by the Commission? A Yes, sir.
- Q You were at that time employed by the Commission, were you? A Yes, sir.

Netta Onick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Netta Onick
Subscribed and sworn to before me this 6th day of November, 1902.

W. C. Jones
Notary Public.

1. The first of these is the fact that the Commission has not yet received any information from the Government of the Republic of China (Taiwan) regarding the situation in the Republic of China (Taiwan) since the end of the Second World War. This is a serious omission, as the Commission is required to provide a comprehensive report on the situation in the Republic of China (Taiwan) to the United Nations. The Commission is therefore unable to provide a complete and accurate report on the situation in the Republic of China (Taiwan) to the United Nations.

COMMISSION TO FIVE TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE ENROLLMENT FIELD PARTY.
SALLISAW, I. T., APRIL 10, 1905.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of KINNY VANN as a citizen by blood of the Cherokee Nation.

ELLIS STARR, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A Ellis Starr.
- Q What is your age? A I will soon be 52.
- Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
- Q What is your post office address? A Sallisaw, I. T.
- Q Do you know a man by the name of Kinny Vann? A Yes sir.
- Q How old is Kinny Vann? A About 30 may be a little over.
- Q Do you know his post office address? A No sir, unless it is Cookson, he is over in that country but seems to me there is another little post office down below. I will explain, he married a white woman over there and separated and come and got a divorce here, and it seems to me s he gave another little post-office a little post office below ehter, but I don't know the name of it unless it is Blackgum.
- Q Is Kinny Vann a citizen by blood of the Cherokee Nation? A Yes sir.
- Q What degree of Cherokee blood has he? A I would think he was nearly a full blood, not quite but very near it.
- Q What was the name of his father? A His father was named Jess Vann.
- Q What was the name of his mother? A Ailsey Vann.
- Q Is Jess and Ailsey living? A Ailsey is living, Jess is dead.
- Q Where does she live? A In Flint District about 3 or 4 miles from Evansville, Arkansas.
- Q What is her post office address? A Either Evansville, Arkansas, or Stilwell, I. T.
- Q Is Kinny Vann married? A Yes sir, that is my information about it.
- Q How long has he been married? A He has been married a year.
- Q Was he married prior to his marriage to this woman he is living with now? A Yes sir.
- Q What was the name of his first wife? A Widow Houseburg.
- Q Do you know her given name? A No sir, I don't.
- Q Is she living or dead? A She is living.
- Q Where does she live? A Not far from Vian.
- Q What is her present name? A I don't know she married some other full blood.
- Q Is she an Indian or white woman? A She is an Indian.
- Q Do you know her given name? A I don't know, I lived right by her but I can't call it.
- Q How long has she and Kinny Vann been separated? A I guess a couple of years.
- Q Do you know when they were married? A They were not married but a very short time.
- Q Do you know whether she and Kinny Vann had any children? A I think they had one.
- Q Do you know when it was born? A No sir, I don't.
- Q You don't know whether this child is living or not? A No sir, I don't.
- Q You don't know what its name was? A No sir.
- Q You don't know when it was born? A No sir.

- Q Is Kinny Vann living at present? A That is my information if he hasn't died lately.
- Q When did you see him last? A I can't recollect for certain but it has been inside of 6 months.
- Q He was living 6 months ago in the Cherokee Nation? A Yes sir.
- Q Are you personally acquainted with him? A Yes sir.
- Q How long have you been personally acquainted with Kinny Vann? A Ever since he was a baby.
- Q Do you know his father and mother? A Yes sir.
- Q And you have known Kinny Vann continuously since then? A Yes sir.
- Q Has he ever lived outside of the Cherokee Nation? A Not to my knowing.
- Q In what District was he living in 1880? A I guess he must have been living in Flint District.
- Q Does he belong to that class of Cherokee citizens who oppose the enrollment work? A I am not certain about that but I expect he does.
- Q It is your information that he does? A Yes sir.
- Q Kinny Vann has no children except the one you have spoken of, that you know anything about? A No sir.

Kinny Vann is identified on the 1880 Cherokee Tribal Roll, Flint District, No. 1373, as Caney Vann, and is also identified on the 1896 Cherokee Census Roll, Illinois District, No. 2224, and is listed for enrollment from information on Cherokee D-2972.

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George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lessley

Subscribed and sworn to before me this 14th day of May, 1905.

Myron White

Notary Public.

1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them. The list includes names such as "Mr. J. H. Smith", "Mr. W. B. Jones", and "Mr. C. D. Brown".

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1992-1993

1. The first part of the document is a list of names and addresses, which are arranged in a columnar fashion. The names are written in a cursive script, and the addresses are written in a more formal, printed style. The list includes names such as "John Doe", "Jane Smith", and "Robert Johnson", along with their respective addresses.

[Handwritten signature]

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COMMISSION TO FIVE TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE ENROLLMENT FIELD PARTY.
VIAN, I. T., APRIL 15, 1903.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of KINNY VANN as a citizen by blood of the Cherokee Nation.

KINNY VANN, being called, but refused to be sworn, made the following statements through interpreter, JAMES MUSKRAT:

BY THE COMMISSION:

- Q What is your name? A Kinny Vann.
- Q What is your age? A I don't know just exactly.
- Q Are you about 30 years old? A About 26 or 27.
- Q What was the name of your father? A Jess Vann.
- Q What was the name of your mother? A Ailsey Vann.
- Q Were you born in the Cherokee nation? A Yes sir.
- Q Were you born in Flint District? A Yes sir.
- Q Were you living in Flint District in 1880? A I don't know.
- Q In what district were you living in in 1896? A I don't know, I never notice such things.
- Q Is your father and mother dead? A My father is dead, my mother is living.
- Q Are you married? A Yes sir.
- Q What is the name of your wife? A I don't know, I just call her wife.
- Q You don't know what your wife's name is? A I don't know, I just call her wife.
- Q You don't know her name? A No sir.
- Q What is her name? A She is standing out there, she don't want to come in here either.
- Q Have you any children? A No sir.
- Q How long have you been married? A I don't know, I didn't count it.
- Q What was your wife's name before you married her? A I don't know.
- Q Did you marry in Illinois district? A I guess so, I don't know, maybe Flint, I don't know.
- Q Have you lived all your life in the Cherokee nation? A Yes sir.
- Q How much Cherokee blood do you possess? A I don't know.
- Q Are you a full blood? A I don't know.
- Q Was your father a full blood? A I don't know.
- Q Was your mother a full blood? A I don't know.
- Q Have you selected land as a citizen by blood of the Cherokee Nation? A Yes sir.
- Q Have you filed on land as a citizen of the Cherokee Nation? A No sir.
- Q Have you ever applied to the Dawes Commission for enrollment as a citizen of the Cherokee Nation? A Yes sir, I selected my land, I have got a field.
- Q Have you ever applied to the Dawes Commission for enrollment as a citizen of the Cherokee Nation? A I don't understand what you mean.
- Q Have you ever appeared in person before the Dawes Commission at Muskogee, or any other place, and apply to be enrolled as a citizen of the Cherokee Nation? A I don't understand what you mean.
- Q Did you ever go yourself before any member of the Dawes Commission or any representative of the Dawes Commission either at Muskogee, Tahlequah or any other place in the Cherokee nation, and make application to be put on the final roll as a citizen?

- A I don't understand that, can't understand nothing.
- Q Do you want to be enrolled as a citizen by blood of the Cherokee Nation? A I want to go now.
- Q Are you willing to swear that the statements you just made are true, are you willing to be sworn? A What is it going to amount to.
- Q Do you positively refuse to be sworn? A (Witness refused to answer).
- Q Will you under any conditions be sworn as to the correctness of the above statements? A (Witness refuses to answer)...
- Q Will you be sworn now, Mr. Vann? A (Witness still refused to answer or be sworn).

Kinny Vann is identified on the 1896 Cherokee Census Roll, Illinois District, No. 2024, and is listed for enrollment from information on Cherokee D-2972.

Applicant refused after due persuasion to be sworn both before this examination and afterwards.

-----oOo-----

George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled case, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lessley

Subscribed and sworn to before me this 8th day of May, 1905.

Wm. H. White
Notary Public.

Cherokee D 2972

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment
of Kinny Vann as a citizen by blood of the Cherokee Nation.

--:--

ORDER.

THE RECORD IN THIS CASE SHOWS: That, on June 30, 1902, Emmet Starr appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of Kinny Vann as a citizen of the Cherokee Nation. Additional proceedings in the matter of said application were had at Muskogee, Indian Territory, on November 3, 1902, at Sallisaw, Indian Territory, on April 10, 1905, and at Vian, Indian Territory, on April 15, 1905.

THE EVIDENCE IN THIS CASE SHOW : That Kinny Vann, who is identified upon the 1880 authenticated Cherokee roll, and also upon the 1896 Cherokee census roll, is a Cherokee by blood, and has resided in the Cherokee Nation all his life.

IT IS THEREFORE ORDERED: That Kinny Vann be transferred from card Cherokee D 2972 to a Cherokee straight card.



Chairman

Dated at Muskogee, Indian Territory,
this MAY 17 1905

Muldrow, Indian Territory, April 11, 1905.

Commission to the Five Civilized Tribes,
(Cherokee Enrollment Division),
Muskogee, Indian Territory.

Gentlemen:

Since our last report we have taken testimony in the following cases:

C.D. 2984 -- Francis DuVaul. Status taken.

C.D. 2972 -- Kinny Vann. As to residence and citizenship.

C.D. 2200 -- Margaret Russel. Showing applicant died prior to September 1, 1902.

C.D. 1962 -- Lucy McCoy. As to residence and paternity.

C.D. 2138 -- J. H. Cullpepper. Showing applicant died prior to September 1, 1902.

C.D. 2159 -- Samsy Daughtery. Showing Samsy Daugherty to be identical with Sam Sevenstar, under which name he may be on the final roll.

C.D. 2226 -- Lyda Walkingstick. Showing applicant died prior to September 1, 1902.

C.F.D. 1138 -- Jess Falsen et al. Showing residence and paternity of the minor applicants.

C.D. 1620 -- Altabena Johnson. Duplicate.

Respectfully,

Fred P. Branson.







Kimney Vann
80

P 398# 373 G. H.
Dist. as Kimney Vann
Note opp. name

On Census 83
Kimney - 1562

D 1st & 2nd District
Note Kimney Vann

Cher 10897

Charley Blalock

Trans. from D394

Cher 10897

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---:---

Herein is the record in the matter of the application
for the enrollment as citizens by blood of the Cherokee Nation
of:

CHARLEY BLALOCK

ROSA BLALOCK

WILLIAM BLALOCK

D-394

139

13-

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

SEP 22 1900

[Handwritten signature]

Bartholomew
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 22 1900

1900

22
Name

Charlie Seaver, Cherokee

CLAWARE.

District

Year

Page

No.

Citizen by blood

is 1/2 and Cherokee
Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Dist.

Year

Page

No.

Age

Dist.

Year

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Age

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Age

1 On 18th, Eric & Charley Seaver

N3911

1000
a-
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 24 1860

10897

[Handwritten signature]

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
VINITA, I.T., SEPTEMBER 22nd, 1900.

IN THE MATTER OF THE APPLICATION OF Charly Blaylock for enrollment as a citizen of the Cherokee Nation, and he being sworn by Commissioner, C. R. Breckinridge, testified as follows:

- Q What is your full name? A Charly Blaylock.
Q How old are you? A About twentytwo. (22)
Q What is your Postoffice? A Seneca.
Q What district do you live in? A Quapaw Reservation.
Q Whom do you want to put on the roll; yourself? A Yes sir.
Q Is that all? A Yes sir.
Q What are you? A Cherokee.
Q Full blood? A Half breed.
Q What is the balance? A Shawnee.
Q How long have you lived in the Cherokee Nation? ~~xxxxxx~~
At all? A Been here two years now.
Q And the balance of the time, did you live in the Cherokee Nation? A Yes sir.
Q Where have you been for the two years; in the Quapaw Reservation? A Peoria Reservation.
Q What is your father's name? A Henry Blaylock.
Q Dead or living? A Dead.
Q How long since? A About four years.
Q Give me your mother's name? A Laura Jacko.
Q Is she dead or living? A Living.
Q What district were you in in 1890? A I do not know.
(1890 Roll, Page 220, #113, Charly Blaylock, Delaware District)
(1896 Roll, Page 122, #704, Charles Blaylock, Coconawawee Dist)
Q What are you doing in the Quapaw Reservation; making your home there? A Living with my family.
Q Do you propose to stay there all the time? A No sir.
Q Do you call that your home; or do you call this your home here?
A I aim to move back into the Cherokee Nation.

By Mr. J. L. Baugh, Cherokee Representative:

- Q Is your wife a Peoria? A Yes sir.
Q Did she draw land up there? A Yes sir.
Q Did you draw any? A No sir.

By the Commission:

- Q You just apply for yourself, do you? A Yes sir.
The applicant is identified on the rolls of 1890, and 1896, as a Native Cherokee: He states that he has lived in the Cherokee Nation all his life, except the last two years, he has been in the Quapaw Reservation. In view of the possible doubt on the score of residence, his name will be placed on a Doubtful Card, and the final decision of the Commission will be communicated to him at his Postoffice address.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R. R. Crain

Subscribed and sworn to before me
this 22nd day of September, 1900.

C. R. Breckinridge

COMMISSIONER.

S U P P L E M E N T A L T E S T I M O N Y .

Cher. D. #394.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHELSEA, I. T., JUNE 3d, 1901.

In the matter of the application of Charley Blalock for the enrollment of his child, ROSA, as a citizen of the Cherokee Nation of Shawnee blood; said Blalock being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Charley Blalock.
Q How old are you? A About 26 now, somewhere along there, I don't know just exactly how old I am.
Q What is your post office? A Seneca is my post office.
Q What district do you live in? A Peoria now, that is where I am staying.
Q Are you a full blood Shawnee? A Yes, sir, don't claim Shawnee.
Q What are you? A Cherokee.
Q Are you full blood? A No.
Q What degree have you got? A Shawnee.
Q How much have you got? A About half.
Q Who do you want to enroll besides yourself? A I would like to have my baby enrolled.
Q Are you married? A Yes, sir.
Q Is your wife an Indian? A Yes, sir.
Q Do you want to enroll her? A No, she has got land over yonder.
Q Over where? A Over in Peoria.
BY MR. W. W. HASTINGS, Cherokee Representative: Have you got a brother named Garro? A Yes sir.
BY COM'R NEEDLES: How old is your child? A Three years old in November.

(The records of this Commission show that the applicant himself has been enrolled on Doubtful card #394.)

Q What is the name of your child? A Rosa.
Q Why didn't you apply for it when you applied for yourself?
A I didn't have anything to pay to get the paper.
Q Have you got a certificate now? A No, sir.
Q You are in no better fix now that you were before, are you?
A No.
Q Where is your wife? A She is out here.
Q She is here is she? A Yes, sir.
Q What is your wife's name now? A Alice Blalock.
Q Is she a citizen of the Cherokee Nation? A Well, she is Shawnee, but she is adopted in Peoria.
Q Has she an allotment up there? A Yes, sir.
Q When were you married to her? A Well that has been about five years, but never got married until here a little over three years ago.
Q Have you got any certificate of marriage? A Yes, sir.
Q Where is it? A At home.

The 1880 Authenticated Roll of citizens of the Cherokee Nation examined and applicant's name found thereon, page 22, #113, Charley Blalock, Delaware District.

Q Is this child living now A Yes, sir.

COM'R NEEDLES:--Charles Blalock applies for the enrollment of his child, Rosa. He avers that his wife, Alice, is a Peoria Indian and has an allotment in the Peoria Nation. He also avers that he was married about three years ago and as a result of said marriage, the birth of the child Rosa. He is fully identified upon the authenticated roll of 1880 according to the page and number of the roll as indicated.

the testimony, but makes no satisfactory proof of the birth of the child and no satisfactory proof as to his marriage, which it will be necessary for him to file with this Commission before the enrollment of his child is completed. Because of the fact that his wife is not a Cherokee by blood, she is a Peoria, said Rosa Blalock will be listed for enrollment as a Cherokee citizen upon a doubtful card, awaiting further proof of the Commission as to her rights as a citizen, and it will be necessary for him to file with the Commission proof of birth and proof of marriage.

---00000000---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 18th day of June, 1901.

[Signature]
Commissioner

le

2597

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JUN 3 1901



ACTING CHAIRMAN

~~Documntation~~
CHEROKEES BY BLOOD AND ADOPTION.

Date June 3, 1911 1900.

Name

District

Year 1911 Page 103 No. 103

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year Page No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children

| | | | | | |
|-------------------------------|-------|------|------|-----|-----|
| <u>Rea Ellock</u> | Dist. | Year | Page | No. | Age |
| | Dist. | Year | Page | No. | Age |
| | Dist. | Year | Page | No. | Age |
| | Dist. | Year | Page | No. | Age |
| <u>Enroll on card No 2394</u> | Dist. | Year | Page | No. | Age |
| | Dist. | Year | Page | No. | Age |
| | Dist. | Year | Page | No. | Age |
| | Dist. | Year | Page | No. | Age |
| | Dist. | Year | Page | No. | Age |
| | Dist. | Year | Page | No. | Age |

App. made by Chas. Ellock (father) Steno, J. C. Ross

App. of birth required

Proof of marriage of parents to be supplied

1
State of Illinois

Northern Judicial District

Freedom Territory

Before me

J. J. Sparks, A Notary Public

in and for said District and Territory came Charles Blacklock
of lawful age who being duly sworn according to law to
tell the truth the whole truth and nothing but the truth, deposes
and says I am 28 years of age and a Cherokee Indian
by birth and blood and am the son of Henry Blacklock
a Cherokee Indian by birth and blood and am I am a
Registered Cherokee Indian upon the register roll of June
10 1871. I am an applicant for enrollment of myself
and my two children Rosa Blacklock born Sept 13, 1898 and
William Henry Blacklock born July 20 1902.

I was legally married to Alice Blackhook on Sept 14, 1898
and that these two above named children are born of
such marriage.

When my first child was born, named Rosa, I had
as a midwife a white woman named Van Winkle whose residence
is to me unknown and for whom I have hunted diligently
and Mary Whitechurch whose residence is to me unknown and for
whom I have made diligent search and am unable to find either
of them.

When my second child William Henry was born, there was
no doctor or midwife, nor was there anyone at the house except

~~myself and wife~~ Charles Blacklock

William Henry C. C. O'Brien Jr

James D. Dugan

Subscribed and sworn to before me on this

day of October 20 1902

J. J. Sparks

Notary Public

My Commission Expires Sept 25 " 1904

Dora Black

is a citizen of

California

Nation

Approved: (Seal) 1907

C. D. Friedman

Notary Public

W 394

IN RE

Application for Enrollment of

INFANT CHILD

Rosa Blalock

as a citizen of

Cherokee

Nation

Approved,

Oct 31

1907

T. A. Bucknigh

Commissioner

~~Not perfected~~

CONFIRMED
OCT 31 1907

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Cherokee* Nation,
of *Rosa Blalock*, born on the *13th* day of *September*, 1898
(Here insert name of child)
Name of Father: *Charles Blalock*, a citizen of the *Cherokee* Nation.
Name of Mother: *Alie Blalock*, a citizen of the *Cherokee* Nation.
Post-office, *Seneca Mo.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

Northern

District.

I, *Alie Blalock*, on oath state that I am *23*
years of age and a citizen, by *adoption (lawful)*, of the *Cherokee* Nation;
that I am the lawful wife of *Charles Blalock*, who is a citizen, by
blood (husband) of the *Cherokee* Nation, that a *female* child was
(male or female)
born to me on the *13th* day of *September*, 1898; that said child has been
named *Rosa Blalock*, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses)*Alie Blalock*

Subscribed and sworn to before me this

27th

day of

*October*190*2*

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

District.

attended on Mrs. *Alie Blalock*, wife of *Charles Blalock*,
on the *13th* day of *September*, 1898; that there was born to her on
said date a *female* child; that said child is now living and is said to have been
(male or female)
named *Rosa Blalock*

WITNESSES TO MARK:

(Must be Two
Witnesses)

Application for Enrollment of

INFANT CHILD

William Henry Blalock

as a citizen of the

Nation.

Approved *9.1.31* 1902
L. A. Greenleaf
Commissioner.

Leader Printing Company

1902

10394

IN RE

Application for Enrollment of

INFANT CHILD

William Henry Black

as a citizen of the

Cherokee Nation.

Approved

Oct 31 1902

T. H. Buckner
Commissioner.

Leader Printing Company

UOI 31 1902

1011-1010

COMMISSIONER OF INDIAN AFFAIRS

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of William Henry Blalock, born on the 20th day of July, 1902.
(here insert name of child)
Name of Father: Charles Blalock, a citizen of the Cherokee Nation.
Name of Mother: Alice Blalock, a citizen of the Cherokee Nation.
Postoffice Peris, Ga.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Northern Indian District }
Cherokee Nation. }

I, Alice Blalock, on oath state that I am Twenty seven
years of age and a citizen, by birth, of the Cherokee Nation;
that I am the lawful wife of Charles Blalock, who is a citizen, by
birth, of the Cherokee Nation; that a male child was
(male or female)
born to me on the 20th day of July, 1902; that said child has been
named William Henry Blalock, and is now living.

WITNESSES TO SIGN:

Alice Blalock

(Must be Two
Witnesses.)

Subscribed and sworn to before me this

27th

July of 1902

190

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
District. }

I, _____, on oath state that I
attended on Mrs. _____, wife of _____,
on the _____ day of _____, 19____; that there was born to her on
said date a _____ child; that said child is now living and is said to have been
(male or female)
named _____.

Subscribed and sworn to before me this

day of

190

NOTARY PUBLIC

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 26, 1902.

In the matter of the application of Charles Blalock, for the enrollment of himself and his daughter Rosa Blalock, as citizens of the Cherokee Nation:

The applicant was notified by registered letter on February 10, 1902, that the application for the enrollment of himself and child as citizens of the Cherokee Nation would be taken up for final consideration by the Commission on the 26th day of February, 1902, and that he could on said date appear before the Commission either in person or by attorney, when an opportunity would be given him to introduce any further testimony affecting his application.

He was also requested to supply the Commission with a certified copy of the marriage license of himself and wife Alice Blalock; also a duly executed affidavit as to the birth of his daughter Rosa Blalock.

Applicant having this day, to-wit: the 26th day of February, 1902, been called three times, and failing to respond either in person or by attorney, it is ordered that the case be closed, and reported to the Commission for final decision based upon the evidence now of record.



Commissioner.

THIS CERTIFICATE THAT

Charles Blacklock of _____ State of Indian Territory and
 Alice Blacklock of _____ State of Indian Territory were united
 in Holy Matrimony at Neosho on the 10th day of September A. D. 1898,
 by authority of a license bearing date the 10th day of September,
 D. 1898, and issued by the Registrar of Deeds of _____
 County, Missouri my witnesses.

Witnessed by _____

Therefore God hath joined them together as one flesh and they shall be one flesh.
 What God hath joined together let no man separate.
 Witnessed by _____

Department of the Interior,
 Commission to the Five Civilized Tribes,
 Muskogee, I. T.

I, the undersigned, Assistant Chief Clerk of the Cherokee
 Removal Division of the Commission to the Five Civilized Tribes and
 custodian of the records of said Division, do hereby certify that
 above and foregoing is a true and correct copy of the original
 file in the office of the said Division.

Assistant Chief Clerk, Cherokee Division.

THIS CERTIFIES THAT

Charles Blalock of _____ State of Indian Territory and
 Alice Blackhoff of _____ State of Indian Territory were united
 in Holy Matrimony at Weahe on the 19th day of September A. D. 1898,
 by authority of a license bearing date the 19th day of September, A.
 D. 1898, and issued by the Recorder of Deeds of Newton County, Mis-
 souri, Witness my signature.

Isaac Danders

Justice of the Peace.

Witnesses:

W. F. Shannon

A. C. Beach

Matthew: For this cause shall a man leave father and mother and
 shall cleave to his wife: and they twain shall be one flesh What
 Therefore God hath joined together let not man put asunder.

Department of the Interior,
 Commission to the Five Civilized Tribes,
 Muskogee, I. T.,-----

I, the undersigned, Assistant Chief Clerk of the Cherokee En-
 rollment Division of the Commission to the Five Civilized Tribes and
 custodian of the records of said Division, do hereby certify that the
 above and foregoing is a true and correct copy of the original on
 file in the office of the said Division.

Russell B. Jones
 Assistant Chief Clerk Cherokee Division.

Sworn to and subscribed before me this 4th day of November, 1902.

Charles H. Sawyer
 Notary Public.

Cherokee D-394.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

R.T.B.
AbW

In the matter of the application for the enrollment of Charley Blalock and his two minor children, Rosa and William Henry Blalock.

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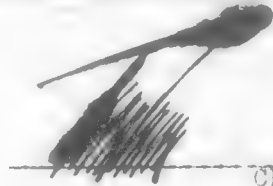
D E C I S I O N.

The record herein shows that on September 22, 1900, Charley Blalock appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of himself as a citizen by blood of the Cherokee Nation; that afterwards on June 3, 1901, the said Charley Blalock appeared before the Commission at Chelsea, Indian Territory, and made application for the enrollment of his minor daughter, Rosa Blalock, as a citizen by blood of the Cherokee Nation; that subsequent thereto, on October 31, 1902, a birth affidavit was filed herewith showing the birth of William Henry Blalock, on June 20, 1902.

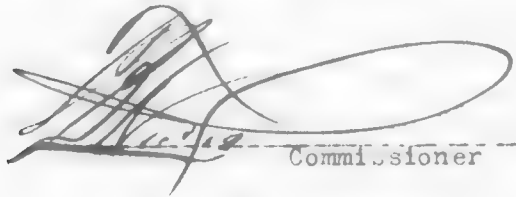
The evidence herein shows that the principal applicant, Charley Blalock, is a Cherokee by blood, has, except as below noted, continuously lived in the Cherokee Nation since birth, and is duly identified on the Cherokee authenticated tribal roll of 1880, and on Cherokee census roll of 1896. It appears that for several years next before the filing of his original application herein, the applicant, Charley Blalock, had resided in the Quapaw reservation, but as it is further shown that he considers the Cherokee Nation his home, and it has always been his intention to return thereto, it is not considered that said applicant's rights to citizenship in said Nation have been forfeited. The minor applicants are children of the said Charley Blalock, have continuously lived with their father since birth, and are duly identified by birth affidavits filed herewith and made a part of the record in this case.

It is, therefore, the opinion of this Commission that
✓ Charley Blalock, Rosa Blalock and ✓ William Henry Blalock, should
be enrolled as citizens by blood of the Cherokee Nation, in ac-
cordance with the provisions of section twenty-one of the Act of
Congress approved June 28, 1898 (30 Stat., 495), and it is so
ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman



Commissioner



Commissioner

Muskogee, Indian Territory.
MAY 2 1905

3

D 394

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

FEB 12 1902

[Handwritten signature]

COMMISSIONERS
HENRY L. DAWES,
TAMM BIRBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory,.....February 10th

1902

Mr. Charles Blaleck

Seneca, Missouri,

Sir:-

You are hereby notified that the application of..... **yourself and one minor child**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

26th day of **February**, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certified copy of marriage license of yourself and Alice Blaleck; also birth affidavit for Rosa.

Yours truly,

**Cherokee D-394
Register.**

Acting Chairman.

COMMUNICATIONS
HARRY L. JAMES
TAMM BIXBY
THOMAS B. NEEDLES
C. R. BRACKENRIDGE

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cherokee-D-394.

ALLISON AYLESWORTH
SECRETARY

Muskogee, Indian Territory, April 25, 1902.

Charley Blaylock,
Seneca, Missouri.

Sir:

In the matter of the application made by you for the enrollment of yourself and your minor child, Rosa, you are required to file with the Commission to the Five Civilized Tribes the original certificate of your marriage to your wife, Alice, or a duly certified copy thereof and also an affidavit as to the birth of your child Rosa. A blank affidavit of birth is enclosed herewith. You are allowed twenty days from date hereof within which to comply with the above requirements.

Yours truly,

Commissioner in Charge.

Register.

Enclosed

Cherokee D-394

Waskagee, Indian Territory, November 3, 1902.

Charles Blalock,
Peoria, Indian Territory.

Dear Sir:

The Commission is in receipt of birth affidavits in the matter of the application for the enrollment, as citizens of the Cherokee Nation, of your infant children, Rosa Blalock and William Henry Blalock; also a certificate showing your marriage on September 19, 1898, to Alice Blackhoff.

The birth affidavits are in due form and have been filed. The marriage certificate is herewith returned to you, a copy having been made and retained in the Commission's files.

Respectfully,

James Blalock

Acting Chairman.

Enc. D-2

Copy

Cherokee
D-394

Muskogee, Indian Territory, December 24, 1904.

Herace B. Durant, Superintendent,
and Acting U. S. Indian Agent,
Quapaw Agency,
Wyandotte, Indian Territory.

Dear Sir:

Charlie Blalock and his two minor children, Rosa and William Henry Blalock, are applicants before this Commission for enrollment as citizens by blood of the Cherokee Nation. It appears from the Commission's records that Alice Blalock, mother of the said minors, Rosa and William Henry Blalock, is a member of the Pootie tribe of Indians.

You are requested to advise this Commission as to whether or not the said Rosa and William Blalock are carried on the annuity rolls of said Pootie tribe of Indians and whether or not they have taken an allotment of lands with said tribe.

Respectfully,

(Signed) Tamm Birby,
Chairman.

(COPY)

C O P Y

Cherokee D-394.

Muskogee, Indian Territory, February 17, 1905.

Superintendent of Quapaw Agency,

Quapaw, Indian Territory.

Dear Sir:

On September 22, 1900, Charley Blalock appeared before this Commission and made application for the enrollment of himself and his minor child, Rosa Blalock, as citizens by blood of the Cherokee Nation. Thereafter, on October 31, 1902, written application was made for the enrollment of his minor child, William Blalock.

The testimony shows that the mother of these minor children resides in the Quapaw Agency and is an adopted Peoria.

The Commission desires to know whether or not the mother of these minor children has selected allotments in the Quapaw Agency for them.

Respectfully,

(Signed) Tams Bixby

Chairman.

| | | | |
|-------------------|------------|----------|--|
| COMMISSION TO THE | | RECEIVED | |
| No. | Received | | |
| 8763 | EB 25 1905 | | |
| 1905 | | | |

Durant, Horace B.,
 Wyandotte, I.T.,
 Wyandotte Nation,
 Feb. 23, 1905.

States that mother of Rosu
 Blalock et al. is an allottee
 of Peoria Nation, but that
 said children have never
 received allotments or drawn
 annuities from any tribes
 under Quapaw Agency.

CHEROKEE ENROLLMENT

D 394

DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

Seneca Indian Training School,
Quapaw Agency, Wyandotte, I.T.,
February 23, 1905.

The Chairman,

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Referring to your letter dated February 17, 1905-Cherokee-D-394-relative to Rosa Blaleck and William Blaleck, children of Charley Blaleck, Cherokee Shawnee, I have the honor to state that the mother of these children is an allottee of the Peoria Tribe of this Agency. The two children have never received allotments nor have they drawn annuities with any of the tribes of this Agency.

Very respectfully,



BNOW.

Superintendent.

COPY.

Cherokee D-394.

Muskogee, Indian Territory, May 2, 1906.

W. V. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 2, 1906, granting the application for the enrollment of Charley Blalock, et al., as citizens of the Cherokee Nation of Shawnee blood.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

(SIGNED) *Tame Dixby*
Chairman.

Incl. 3-45

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECHINRIDGE.

WM. O. REALL,
Secretary

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FORM NO. 100-1 TO THE FOLLOWING:
Cherokee D-304.

Muskogee, Indian Territory, May 23, 1905.

Charley Blalock,
Seneca, Missouri.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 2, 1905, granting the application for the enrollment of yourself and your minor children, Rosa and William Henry Blalock, as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,



Chairman.

Incl. S-42

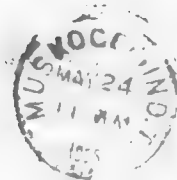


Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



Charles B. B. B.
Chickasaw, Mo.



Cher 10898

Etta P. Garroutt

Cher 10898

CONTENTS

2010-01-01

THE UNIVERSITY OF CHICAGO

[illegible]

THE UNIVERSITY OF CHICAGO

1. The first step is to identify the problem or goal. This involves understanding the current situation and what needs to be achieved.

2. The second part of the report is devoted to the analysis of the results of the survey. It is divided into two main sections: the first section is devoted to the analysis of the results of the survey of the general population, and the second section is devoted to the analysis of the results of the survey of the population of the city of Moscow.

1863

[illegible][illegible]

THE NEW YORK PUBLIC LIBRARY

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

(The following text is extremely faint and largely illegible due to extreme blurring and low contrast. It appears to be a list or index of items, possibly related to the botanical specimens mentioned in the caption above.)

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

THE HISTORY OF THE

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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 8th, 1900.

IN THE MATTER OF THE APPLICATION OF Etta P. Garroult for the enrollment of herself and child as citizens of the Cherokee Nation, and she being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Etta P. Garroult.
Q How old are you? A Sixteen.
Q What is your Postoffice address? A Tahlequah.
Q What district do you live in? A Tahlequah.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A By blood.
Q What is your father's name? A George Welch.
Q Is he living? A Yes sir.
Q What is your mother's name? A Alice.
Q Is she living? A Yes sir.
Q Whom do you want to enroll? A Myself and baby.
Q Are you married? A Yes sir.
Q What is your husband's name? A William A. Garroult.
Q When did you marry him? A The 9th of November, 1898.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Are you living in the Cherokee Nation now? A Yes sir.
Q Pretty young when you were married, were you not? A Yes sir.
Q Is your father living? A I do not know. I have not heard from him in several years.

By Mr. W. W. Hastings, Cherokee Representative:

Q Your mother is a white woman? A Yes sir.
Q Your father and mother were never married? A No sir.
Q Where were you born? A In the Cherokee Nation.
Q Where? A In Goingsnake District.
Q How long did you live in Goingsnake? A I lived there until I was six years old.
Q Then where did you go? A To where I am living now; on Fourteen Mile Creek.
Q You are living there now? A Yes sir.
Q Your mother has since married? A Yes sir.
Q To whom? A G. D. Gwartne.
Q That is her first marriage? A No sir; she has been married once before.
Q To whom was she married before? A A man named St. John.
Q When was that? A I do not know.
Q Before you were born, or since? A Since I was born: It was in '87 I believe.

Com'r. T. B. Needles:

Q Your mother is not a citizen by blood then? A No sir.

(1896 Roll, Page 812, #2557, Ettie Welch, Goingsnake District)

Q Is your mother living now? A Yes sir.
Q Is she here? A No sir; she lives in Colorado.
Q Your understanding is that your father and mother were never married? A Yes sir.
Q Who raised you? A My uncle raised me.
Q What is his name? A Sullivan.
Q Your mother was a white woman? A Yes sir.

By Mr. W. W. Hastings, Cherokee Representative:

Q Was your father married to some Cherokee woman at the date of your birth? A No sir.
Q Do you know who was afterwards his wife? A Jackaline Adair I think it was.

ETTA P. GARROUTT ET AL.

-2-

Q Do you know whether they were married in 1880, or not?

A No sir, I do not.

Q Is your father living? A He was four years ago: That was the last account I had of him.

Q Do you know anything about your father's present family?

A No sir: His ~~x~~ last wife had been dead about three years the last time I heard of her.

(1880 Roll, Page 399, #1412, George Welch, Flint District)

Com'r. T. B. Needles: The name of Etta P. Garroult is found upon the census roll of 1896, as Ettie Welch: She avers that her father, was George Welch, a Cherokee by blood and that her mother was Alice, a white woman; that her father and mother never were married: She avers that she was married in November, 1898 to one, Samuel A. Garroult, a non citizen: By him, she has one child named Lillian O. Garroult, one year of age, and she makes satisfactory proof of birth of said child.

The name of her father is found upon the authenticated roll of 1880: By reason of the testimony as to the non marriage of her father and mother, her mother being a white person, final judgment as to the enrollment of the said Etta P. Garroult and her child, Lillian O. Garroult will be suspended and their names will be placed on a doubtful card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Evans

Subscribed and sworn to before me this 19th day of December, 1900.



COMMISSIONER.

" "



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 13 1900

 CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 13 1900 1900.

Name

Daphne

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

Ellen Garrott

District

GOING SNAKE

Year

1896

Page

812

No.

2557

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

Lillian C. Garrott

Dist.

Year

Page

No.

Age

Dist.

Year

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Age

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Age

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

[Signature]
ACTING CHAIRMAN

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PROCEED

B. W. Alberty

POOR ORIGINAL -
BEST AVAILABLE COPY

IN RE

Application for Enrollment of

INFANT CHILD

Lillian O Garrant

as a citizen of

Cherokee Nation

DEC 13 1900

Approved

J. D. Lewis
CommissionerDEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBESFILED
DEC 13 1900

J. D. Lewis

J. D. Lewis

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the *Cherokee* Nation,
of *Lillian O. Garrault* born on the *9th* day of *November*, 188*9*
(Here insert name of child)
Name of Father: *Samuel A. Garrault* a citizen of the *Cherokee* Nation.
Name of Mother: *Etta P. Garrault* a citizen of the *Cherokee* Nation.
Post office, *Tahlequah P.O.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

Northwestern District.

I, *Etta P. Garrault*, on oath state that I am *14*
years of age and a citizen, by *blood*, of the *Cherokee* Nation;
that I am the lawful wife of *Samuel A. Garrault*, who is a citizen, by
adoption the *Cherokee* Nation, that a *Female* child was
(male or female)
born to me on the *9th* day of *November*, 188*9* that said child has been
named *Lillian O. Garrault* and is now living.

WITNESSES TO SIGN

Etta P. Garrault(Must be Two)
(Witnesses)

Subscribed and sworn to before me this

10th day of *December*, 190*0**J. S. Bayley*

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

INDIAN TERRITORY.

Northwestern District.

I, *Israel Hill*, a Physician, on oath state that I
attended on Mrs. *Etta P. Garrault*, wife of *Samuel A. Garrault*
on the *9th* day of *November*, 188*9* that there was born to her on
said date a *Female* child; that said child is now living and is said to have been
(male or female)
named *Lillian O. Garrault*.

WITNESSES TO SIGN

Israel Hill. M.D.(Must be Two)
(Witnesses)

Subscribed and sworn to before me this

13th day of *December*, 190*0**J. S. Bayley*

NOTARY PUBLIC

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS

FILED
NOV 6 1901

[Handwritten signature]

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

November 6, 1901

Received of the Commission to the Five Civilized Tribes one
copy of the testimony in the matter of the application of
Etta P. Garraut, et al for enrollment as
citizens of the Cherokee Nation.

Wm P. Thompson

No. 9461

Department of the Interior,
Bureau of the Five Civilized Tribes,
Tulsa, I. T. November, 19th 1911.

In the matter of the application of Etta P. Garroult, et al, Cherokee Doubtful card, #961. GOVERNMENTAL TESTIMONY.

J. J. Starr for the Cherokee Nation
W. P. Thompson for the applicant.

ALICE GWARTNEY, being sworn by Justice T. E. Needles, testified as follows for the applicant—

(By Mr. Thompson)

Q What is your name? A Alice Gwartney.

Q What is your age? A My age was 31 last June.

Q Post office? A Lamar, Colo.

Q What relation are you to the applicant? A I am her mother.

Q What was the applicant's maiden name? A Etta P. Welch

Q Who was her father? A George Welch.

Q Was he a Cherokee citizen? A Yes sir.

Q When was the applicant born? A She was born in 1885 in January, 26th

Q Where was she born? A She was born in the Indian Territory.

Q What Nation? A Cherokee Nation.

Q Has she lived in the Cherokee Nation ever since her birth? A Yes sir she has never been out of the Nation.

Q Were you and the father of Etta, George Welch, married? A I considered myself his wife; at that time owing to my youth and inexperience I was led to believe that I was his wife according to the laws and customs of the Cherokee Nation, and owing to our parents objections we were—we never had any public ceremony.

Q How old were you when he and you commenced going together? A I was only 14.

Q How old were you at the time this child was born? A I was 15 in June and she was born in January before.

Q You say you were led to believe that you were his wife according to the laws and customs of the Cherokee Nation; state what he said to you that caused you to believe that? A Only what he told me; I was very young and had no experience in anything of that kind at that time and had never kept company with any one before and I considered from what he said that I was his wife.

Q Well, what did he state to you? A He told me that I was just as much his wife as if we were married, that I was his wife according to the laws of the country, and as soon as I became of age he would claim me as his wife. My people were very much opposed to me keeping his company.

Q Then the applicant, Etta P. Garroult's maiden name was Etta P. Welch? A Yes sir.

Q And you as her mother swear that she is the daughter of George Welch? A I do.

Q And that she was born in the Cherokee Nation? A Yes sir.

Q And has lived here since her birth? A Yes sir.

Q And has never lived anywhere else? A Never has.

Q You have since married have you? A Yes sir.

Q Your present husband's name is what? A G. D. Gwartney.

(By Mr. Starr)

Q You say that no marriage ceremony was ever performed between you and George Welch? A No sir.

Q How long did you live with Mr. Welch? A About one year and a half.

Q Is he living yet? A Yes sir, was the last time I heard, the last account I had of him he was, I haven't heard from him, haven't had any word from him in over a year.

Q Did you obtain a divorce from him when you married Mr. Gwartney? No sir he had married before I did.

(By the Commission)

Q Was your father and mother living when you were living with Mr. Welch? A Yes sir.

Q They were not citizens of the Cherokee Nation? A No sir.

Q Now 12. Did you live with Mr. Welch? A A year and a half.
 Q Keep house with him? A No sir we never kept house together.
 Q You had but the one child by Welch? A Yes sir.
 Q When the child was born were you living with your parents at their house? A Yes sir.
 Q In fact you never lived with with Welch, but always lived with your father and mother? A Yes sir.
 Q Were you and Welch acknowledged as husband and wife by the neighbors there? A No sir not publicly; his people all knew just how it was.
 Q He was a Cherokee? A Yes sir.
 Q Full blood? A No sir one eighth or one quarter, I wouldn't be positive which.
 Q He is living now? A Yes sir.
 Q You reside in Colorado? A Yes sir.
 (By Thompson)
 Q How long has it been since you left his country to go to Colorado?
 Q Four years, will be five next April.
 Q You say that his parents and relations and himself recognized the relation between you and George Welch? A Yes sir.
 (By the Commission)
 Q Are his parents living now? A No sir.
 Q Did you ever live at his parents house? A Yes sir, his mother was only living at that time, his father was not.
 Q You say that your father and mother are living? A Yes sir.
 Q Where do they live? A My mother is on Fourteen Mile Creek and my father lives near Foyl with my brother.
 Q They are not living together? A They are very old people and I am their youngest child.
 Q They are both living in the Cherokee Nation? A Yes sir.

=====

This will be filed with the original application.

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Chas. von Weise

Subscribed and sworn to before me this 7th of November, 1901.

[Signature]

Commissioner.

0961

20

IN RE

Application for Enrollment of

INFANT CHILD

Daisy L. Garroult
as a citizen of

Cherokee Nation

Approved

5 1901

[Signature]
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 5 1901

[Signature]

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

I, *RE Applicant*, *Edna P. Garrauth*, is a citizen of the *Cherokee* Nation,
 of *Daisy P. Garrauth*, born on the *16* day of *Oct*, 1901.
 Name of Father: *Samuel A. Garrauth*, citizen of the *United States* Nation.
 Name of Mother: *Edna P. Garrauth*, citizen of the *Cherokee* Nation.
 Post-office: *Wagon Mound, N.M.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

9 Northern INDIAN TERRITORY District.

I, *Edna P. Garrauth*, on oath state that I am *17*
 years of age and a citizen, by *blood*, of the *Cherokee* Nation;
 that I am the lawful wife of *Samuel A. Garrauth*, who is a citizen
 of the *United States* Nation, that a *female* child was
 born to me on the *16* day of *October*, 1901, that said child has been
 named *Daisy P. Garrauth*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Edna P. Garrauth

Subscribed and sworn to before me this

15th day of *November*, 1901.*J. S. Bayles*
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

9 Northern INDIAN TERRITORY District.

I, *Mrs. M. A. Sullivan*, wife of *Samuel A. Garrauth*, on oath state that I
 attended on Mrs. *Edna P. Garrauth*, wife of *Samuel A. Garrauth*
 on the *16* day of *October*, 1901; that there was born to her on
 said date a *Female* child, that said child is now living and is said to have been
 named *Daisy P. Garrauth*.

WITNESSES TO MARK

(Must be Two Witnesses)

M. A. Sullivan

Subscribed and sworn to before me this

20 day of *November*, 1901.*J. S. Bayles*
NOTARY PUBLIC

D961

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
APR 1 1902

P.

C. D-961.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 13, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of
Etta P. Garrou for the enrollment of herself and children
members of the Cherokee Nation.

Appearances:

William P. Thompson, Vinita, I. T., attorney for applicant.
W. W. Hastings, attorney for Cherokee Nation.

The applicant was notified by registered letter February 25, 1902, that her application for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, I. T., on the 13th day of March, 1902, and that on said date she might appear before the Commission, either in person or by attorney, when an opportunity would be given her to introduce any additional testimony affecting her application. Receipt has been acknowledged of the Commission's letter, and the applicant having this day, to-wit: the 13th day of March, 1902, been called, and failing to respond, it is deemed that her case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

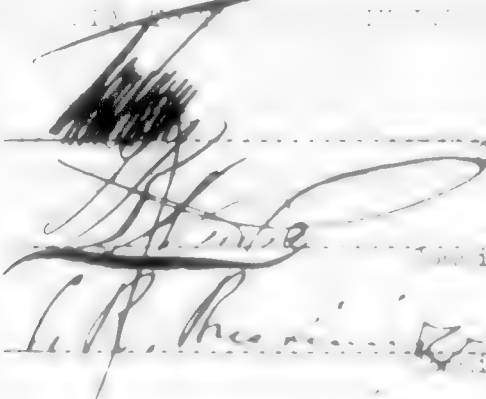
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Commissioner.

MAY

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
APR 1 1902

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C. D-961.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 13, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Etta P. Garreut for the enrollment of herself and children as citizens of the Cherokee Nation.

Appearances:

William P. Thompson, Vinita, I. T., attorney for applicant.
W. W. Hastings, attorney for Cherokee Nation.

The applicant was notified by registered letter February 25, 1902, that her application for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 13th day of March, 1902, and that on said date she might appear before the Commission, either in person or by attorney, when an opportunity would be given her to introduce any additional testimony affecting her application. Receipt has been acknowledged of the Commission's letter, and the applicant having this day, to-wit: the 13th day of March, 1902, been called, and failing to respond, it is deemed that her case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson



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RECEIVED
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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 25, 1902.

Mrs. Etta P. Carrent,
Tahlequah, Indian Territory,

Madam:-

You are hereby notified that the application of **yourself and two minor children**

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on **the 13 day of March, 1902.**

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to William P. Thompson, Yours truly,
Vinita, I.T.
Cherokee D-262
Register.

~~XXXXXXXXXX~~
Acting Chairman.
Commissioner in Charge.

CC

Cherokee D-261.

Muskogee, Indian Territory, May 2, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 1, 1905, regarding the application for the enrollment of Mrs. P. Garout, et al., as citizens by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

SIGNED: *Tamc Dixey*
Chairman.

100-2-2

COMMISSIONER
JAMES BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REPLY IN ANSWER TO THE FOLLOWING
Cherokee D-261.

Muskogee, Indian Territory, May 23, 1906.

Etta P. Garroult,

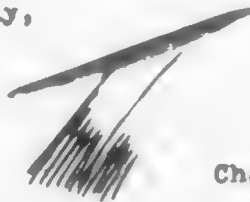
Tahlequah, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 2, 1906, granting the application for the enrollment of yourself and your minor children, Lillian O. and Daisy L. Garroult, as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,



Chairman.

Incl. 8-43.

Cherokee 1-41.

Waskie Co, Indian Territory, May 28, 1905.

William P. Thompson,
Attorney for Etta P. Garroult, et al.,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of
the Commission to the Five Civilized Tribes, dated May 2, 1905,
granting the application for the enrollment of Etta P. Garroult,
et al. as citizens by blood of the Cherokee Nation.

Respectfully,

Incl. S-44.

Chairman.





Department of the Interior

C

MESKOLEE AND TER



Cher 10899.

Richard Riley

Trans. from D1333

Cher 10899

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment
as a citizen by blood of the Cherokee Nation, of
RICHARD RILEY, Cherokee D- 1333.

-oOo-

1333

and complete transcript of the proceedings in the
case of the Commission to the Five Civilized Tribes
to the War Department, and the Commission to the
War Department, and the Commission to the War Department.

COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
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C.

Department of the Interior.
Commission to the Five Civilized Tribes.
Chouteau, I. T., June 11, 1902.

In the matter of the application of RICHARD RILEY for the enrollment of himself as a citizen by blood of the Cherokee Nation.

JOHN M. RILEY, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A John M. Riley.
Q How old are you? A Fifty-one.
Q What is your post office address? A Pryor Creek, I. T., or Locust Grove, either one.
Q What district do you live in? A Cooweescoowee.
Q You are a recognized citizen by blood of the Cherokee Nation?
A Yes sir.
Q Who do you want to enroll? A My son, Richard Riley.
Q How old is Richard Riley. A About twenty-five, born in 1877.
Q What his post office address? A Tapanas, Colorado.
Q He is single? He has no family, wife or children?
A He was single the last account I had of him, a month or so ago.
Q What is the name of Richard's mother? A Sallie Ballou.
Q Is she living? A No sir.
Q Was she a Cherokee by blood? A Yes sir.
Q Is Richard Riley a full blood Cherokee Indian? A Yes sir.
A No sir, he is a half breed.
Q Up to the time he left the Cherokee Nation had he always been recognized as a citizen by blood of the Cherokee Nation? A Yes sir.
Q Did he always live in Saline District? A Saline, Cooweescoowee and Tahlequah, that is, when he was a boy he was in Tahlequah. Saline and Cooweescoowee principally.
Q He was born in Tahlequah District? A Saline I guess.
Q In his infancy he was taken to Tahlequah? A From one district to the other? There is a Creek there, Spring Creek, running on the line, and we lived on both side of it, in Saline and Tahlequah Districts.
Q Did his mother Sallie go by the name of Ballou as far back as 1880? A Yes sir.
Q Who was her husband at that time? A Ballou.
Q What Ballou? A Rufus Ballou.
Q Did she have any other children at that time besides this Richard?
A I don't know of any.
Q What was the Cherokee name of this Richard Riley? A Oohalukey.
Q Was he ever called any other English name besides Richard?
A None that I know of. He was named after Henry.
Q Henry Ross? A Yes sir.
Q You think he may have been called Henry? A I suppose it was that way, could not say for certain.
Q In what district was this boy living about the time the 1906 roll was made? some six years ago? A He was living with me, I guess, in Cooweescoowee District.
Q This boy is now residing in the State of Colorado temporarily?
A Yes sir.
Q How long has he been there? A Two years, I think.
Q When did he first leave the Cherokee Nation? A He left about the 1st of June, two years ago, as well as I remember.
Q That would be about the 1st of June, 1900? A Yes sir.
Q He has not been back since that time? A No sir.
Q For the past two years, then he has been in Colorado? A I guess so, yes.

Q Does he make that his permanent residence? A He just went out there to be gone, and didn't say how long he would be gone, a year or two perhaps with a lot of boys, hunting work.

Q Do you know whether or not he owns any property out there?

A I don't think he does.

Q Do you know whether he has ever voted out there? A Could not say about that.

Q He considers himself a Cherokee Nation his home? A Yes, suppose so.

Q He had never been out of the Cherokee Nation until some two years ago? A I don't know of any length of time, I don't think so. He never did go out to stay any length of time. I think that was his first trip.

1880 authenticated roll of citizens of the Cherokee Nation examined, and applicant identified as follows:

Page 802, #1964, Henry Riley, Tahlequah District, age 3.

1896 census roll of citizens of the Cherokee Nation examined, and applicant identified as follows:

Page 237, #3882, Dick Riley, Cooweescoowee District, age 19.

Q You have been listed for enrollment by the Commission, have you not? A Yes sir.

Q Under the name of John M. Riley? A Yes sir.

Q What is the name of your wife? A Nan E. Riley.

Q What are the names of your children living with you? A

A Nannie, Ethel, Cherry, Wyly, Mamie, Owen.

John M. Riley, the father of Richard Riley, has been listed for enrollment by the Commission upon card 2537.

Q You know that this boy, Richard Riley, is living now?

A He was last month.

Q You have heard from him as lately as last month or so? A Yes sir

Richard Riley will be listed for enrollment upon doubtful card.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 11th day of June, 1902.

J. N. Green
Notary Public.

D1333

U. S. DEPARTMENT OF THE ARMY
MISSION TO THE FIVE GREAT LAKES
P. I. T. I.
JUL 29 1944

[Handwritten signature]

Statement of Applicant Taken Under Oath

CHEROKEES BY BLOOD AND ADOPTION.

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Date

June 11

1902

25

Name

John M. ...

District

Chickasaw

Citizen by blood

2

Mother's citizenship

Year 1880 Page 902 No. 1404

John M. ...
Callie ...

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

| Dist. | Year | Page | No. | Age |
|-------|------|------|-----|-----|
| Dist. | Year | Page | No. | Age |
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RESIDENCE:

POST OFFICE:

CHEROKEE NATION. CHEROKEE ROLL.

CARD NO.

FIELD NO. 4 DAY

| Dawes' Roll No | NAME | Relation to Head of Family | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | | | | |
|----------------|------|----------------------------|-----|-----|-------|-------------------|----------|----|------------------------------|------|----------|----------------|------|----------|
| | | | | | | Year | District | No | Name of Father | Year | District | Name of Mother | Year | District |
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Date 11-02

Department of the Interior,
Commission to the Five Civilized Tribes.,
Muskogee, Indian Territory, February 2, 1905.

Applicant appears in person. Cherokee Nation by W. J. Hastings.

By the Commission:

- Q What is your name? A Richard Riley.
Q How old are you? A 27.
Q What is your postoffice address? A Chaple, I. T.
Q Are you a Cherokee by blood? A Yes, sir.
Q Where were you born? A I was born south of here on Spring Creek.
Q When did you first leave the Cherokee Nation? A 1899.
Q Where did you go when you left the Cherokee Nation? A I went to Denver, Colorado.
Q How long were you out there? A Well, I was out there about five years.
Q What were you doing out there, Mr. Riley? A Done everything, worked on a farm some and in the mines.
Q How old were you when you left the Cherokee Nation? A About 22.
Q Did you own any property in the Cherokee Nation? A Yes, I had some horses or something like that, a few head of horses.
Q How long did you own those? A About ten years.
Q Where did you leave that property when you left? A On the ranch out on Markhams Prairie.
Q Do you own any property in Colorado or did you own any property while you were living there? A No, sir.
Q Are you single or married? A Single.
Q Has your father been enrolled by the Commission as a Citizen of the Cherokee Nation? A Yes, sir.
Q Where are you making your home now? A Out there with my father.
Q When did you come back from Colorado? A Last Monday morning January 30, 1905.
Q Are you here on a visit or have you returned to the Cherokee Nation? A I am back to stay, to make it my home.
Q Are you going to return to Colorado? A No, sir I don't think I will.
Q Have you any real estate in the Cherokee Nation? A No, sir.
By Mr. Hastings:
Q You don't own any personal property now do you? A No, sir.

Witness Excused.

Opal Griggs being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes she reported the above and foregoing proceedings and on the 2nd day of February, 1905 and that the above is a full, true and correct transcript of her stenographic notes thereof.

Subscribed and sworn to before me this 29th day of March, 1905.

Lucas O. Bass Notary Public
My commission expires Mar 14 - 1909.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, March 24, 1905.

-30-

In the matter of the application for the enrollment of
Richard Riley, as a citizen by blood of the Cherokee Nation.

RICHARD RILEY, having been first duly sworn, testified
as follows:

EXAMINATION BY THE COMMISSION:

- Q What is your name? A Richard Riley.
Q What is your postoffice address? A Chapel, Indian Territory.
Q How old are you? A 27 years old.
Q Are you a Cherokee by blood? A Yes sir.
Q Half breed? A Yes sir.
Q You are an applicant before the Commission as a citizen by blood
of the Cherokee Nation, are you not? A Yes sir.
Q Where were you living in 1880? A Living in Tahlequah District.
Q What district did you live in in '99? A Cooweescoowee.
Q Where were you born? A In Tahlequah District.
Q Cherokee Nation? A Yes sir.
Q What is your father's name? A John M. Riley.
Q What was his occupation? A Yes sir.
Q White man? A No sir. Half breed.
Q What is your mother's name? A Allie Tallou, originally.
Q Cherokee by blood? A Yes sir.
Q Is she living? A No sir.
Q How long has she been dead? A She died in '85.
Q Where have you lived since you were born? A In the Cherokee
Nation the most of the time; was out in Colorado five years.
Q When did you go out there? A In '99.
Q And stayed there how long? A Five years.
Q Came back last year? A Yes sir.
Q What did you do in Colorado? A Worked.
Q Are you married? A No sir.
Q Never was? A No sir.
Q When you went to Colorado in '99, was it not your intention at
that time to leave the Cherokee Nation without returning?
A No sir.
Q What place did you consider your home~~hood~~ during your stay in
Colorado? A Cherokee Nation; my father's home.
Q Did you have any property in the Cherokee Nation? A Had horses
in all.
Q You left them here? A Yes sir.
Q What became of them? A Got them over on Markham's Prairie.
Q Outside of those five years you mention you were in Colorado,
have you always lived in the Cherokee Nation? A Yes sir.

10 and 1107--2

Q Did you ever have any intention of leaving the Cherokee Nation?
A No sir.

(Witness excused)

Josie Davies, having been first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported all proceedings had in the above entitled cause on the 24th day of March, 1905, and that the above and foregoing is a full, true and complete transcript of her stenographic notes thereof.

Josie Davies

Subscribed and sworn to before me this March 25, 1905.

Myron White
Notary Public.

Cherokee - 1883.

U. S. D. I.

117

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-608-

In the matter of the application for the enrollment of
Richard Wiley, as a citizen by blood of the Cherokee Nation.

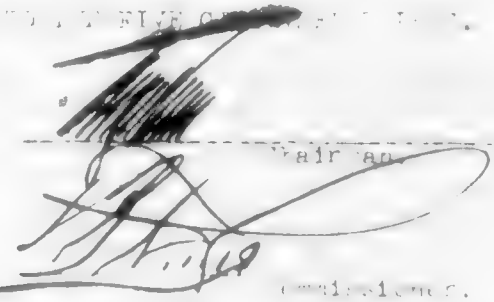

---: PUBLISHED:---

It appears from the record herein that on June 11, 1902, John Wiley appeared before this Commission, at Choteau, Indian Territory, and made application for the enrollment of his son, Richard Wiley, as a citizen by blood of the Cherokee Nation. Additional proceedings were had in the matter of said application, at Muskogee, Indian Territory, on March 24, 1905.

The evidence in this case shows that Richard Wiley is a Cherokee by blood and is identified upon the 1880 Authenticated Cherokee Roll, and also upon the 1896 Cherokee Census Roll. It further appears that said applicant has resided continuously in the Cherokee Nation from the date of his birth up to and including September 1, 1902, with the exception of a temporary absence from 1899 to 1902.

It is therefore the opinion of this Commission that Richard Wiley should be enrolled as a citizen by blood of the Cherokee Nation, under the provisions of Section 21 of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Commissioner.

MAY

Cherokee D-1333.

Tahlequah, Indian Territory, January 27, 1903.

John M. Riley,

Pryor Creek, Indian Territory .

Dear Sir:

Will you please advise this Commission as to the present postoffice address of your son, Richard Riley, for whose enrollment as a citizen of the Cherokee Nation you have heretofore made application to the Commission. At the time of such application you gave his postoffice address as Toponas, Colorado, but the Postmaster at that place states that no such person gets his mail at that office.

Respectfully,

OWI

Tahlequah, Indian Territory, January 27, 1904.

A. K. Parke,

Post Master,

Topenas, Colorado.

Dear Sir:

The Commission is in receipt of your letter of January 18th. stating that you have in the postoffice two uncalled for registered letters addressed to Richard Riley and asking to be advised what to do with them. You are advised that if Richard Riley cannot be found you may return the letters to this office.

Respectfully,

OWI

COMMISSIONERS
TAMM BIRBY,
THOMAS B. NEEDLES,
C. E. BRACKINRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee-10298.

Muskogee, Indian Territory, March 13, 1905.

Richard Riley,

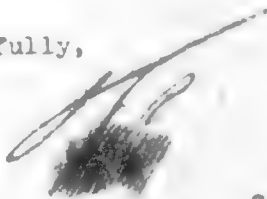
Pryor Creek, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of March 13, 1905, asking to be advised as to the status of your application for enrollment as a citizen of the Cherokee Nation.

In reply you are advised that the name Richard Riley appears upon a partial roll of citizens by blood of the Cherokee Nation approved by the Secretary of the Interior on March 12, 1904, opposite No. 29419.

Respectfully,



Chairman.

COPY.

Cherokee D-1333.

Muskogee, Indian Territory, March 21, 1905.

Richard Riley,

Chapel, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a citizen by blood of the Cherokee Nation you are advised that before the Commission can render a final decision in this case it will be necessary that further testimony be introduced relative to your residence in the Cherokee Nation.

You are, therefore, hereby directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Thursday, April 6, 1905, and introduce testimony as above indicated. You are further advised that the Cherokee Nation will be permitted to appear on that date and introduce such testimony as it may desire in this case, touching the point mentioned.

Respectfully,

SIGNED: *Tams Dixby.*
Chairman.

Register.

COPY.

Cherokee D-1535.

Muskogee, Indian Territory, March 21, 1905.

W. V. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Richard Riley as a citizen by blood of the Cherokee Nation, you are advised that before the Commission can render a final decision in this case it will be necessary that further testimony be introduced relative to the residence of the said Richard Riley in the Cherokee Nation.

The applicant has, therefore, this day been directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Thursday, April 6, 1905, and introduce testimony as above indicated. You are further advised that the Cherokee Nation will be permitted to appear on that date and introduce such testimony as it may desire in this case, touching the point mentioned.

Respectfully,

SIGNED

James Ditty
Chairman.

COPY.

Cherokee D-1333.

Muskogee, Indian Territory, May 2, 1905.

W. F. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 2, 1905, granting the application for the enrollment of Richard Riley, as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

James D. Foxby
Chairman.

Incl. S-23

COMMISSIONERS
JAMES BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKENRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ORDER IN REPLY TO THE FOLLOWING
Cherokee D-1333.

Muskogee, Indian Territory, May 23, 1905.

Richard Riley,

Chaffee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 2, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. 8-45.


Chairman.





MUSKOGEE, INDIAN

Return to Writer.



Cher 10900

A. L. Martin

Trans. from D1428

Cher 10900

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment as
a citizen by blood of the Cherokee Nation of:

A. L. MARTIN, Cherokee D-1428.

-oOo-

Exposition and map to be before us for the purpose of

the following: 1. To describe the position of the river and the
the position and location of the river in the above mentioned
country to the place situated there, to collect the necessary
information on the river and its position, as shown on the map

On the map the river is shown in the following manner:

1. The river is shown in the position of the river, as shown on the map

1002
JUL

Exposition and map to be before us

the following: 1. To describe the position of the river and the
the position and location of the river in the above mentioned

country to the place situated there, to collect the necessary
information on the river and its position, as shown on the map

On the map the river is shown in the following manner:

Exposition and map to be before us for the purpose of
the following: 1. To describe the position of the river and the
the position and location of the river in the above mentioned
country to the place situated there, to collect the necessary
information on the river and its position, as shown on the map

A
Cher. N. 1422.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A Emmet Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

A. L. Martin, on 1880 Roll, page, 30, 1907, Canadian District.

Note: "Osage Citizen."

E. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes.

Subscribed and sworn to before me this 16 day of July, 1902.

E. C. Bagwell
[Signature]
Notary Public.

L.
Cher. D-1428.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 15, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of A. L. MARTIN as a citizen by blood of the Cherokee Nation.

TUCKSY BALLARD, being first duly sworn, and being examine , testified as follows:

BY COMMISSION: What is your name? A Tucksy Ballard.
Q How old are you? A Forty-one.
Q What is your post office address? A Braggs, I. T.
Q You are a recognized citizen by blood of the Cherokee Nation?
A Yes sir.
Q Do you know A. L. Martin? A Yes sir.
Q Do you know his present post office address? A No sir, I don't.
Q Do you know where he resides at present? A Yes sir, in the Osage country.
Q Is he a citizen of the Osage Nation? A Yes sir.
Q Is he also a Cherokee by blood? A He is part Cherokee and part Osage.
Q About what degree of Cherokee blood do you think he has?
A I guess about a sixteenth, maybe.
Q Do you know the name of his father? A No sir, I think Joe Martin
Q Do you know whether his father is living or not? A He is dead.
Q Was he a Cherokee by blood? A Yes sir.
Q Do you know the name of the mother of A. L. Martin? A No sir.
Q Do you know whether she is living or not? A No sir, I don't.
Q Do you know whether she is a Cherokee by blood or not?
A No sir, I don't. Osage
Q How long has A. L. Martin resided in the ~~Cherokee~~ Nation?
A About twelve years, I guess, maybe twenty. It has been a good while.
Q He is a citizen of the Osage Nation? A Yes sir.
Q Does he draw money regularly with the Osages? A Yes sir.
Q Do you know his children, Jan, Aggie and Ellen? A Yes sir.
Q Are they also Osage citizens? A Yes sir.
Q Do they reside in the Osage Nation? A Yes sir.
Q Did they leave the Cherokee Nation at the same time A.L.Martin did
A Yes sir.
Q They are all residing in the Osage Nation, and recognized citizens of the Osage Nation? A Yes sir.
Q Do you know whether any of the girls are married or not?
A One of them married a Quinton, Julia. Aggie Martin, I don't know her husband's name.

1880 authenticated roll of citizens of the Cherokee Nation examined, and applicants identified as follows:

Page 33, #907, A. L. Martin, Canadian District, native Cherokee, age 32.
Note: Osage.

Page 33, #909, Julia Martin, Canadian District, age 13.
Note: Osage.

Page 33, #910, Aggy Martin, Canadian District, age 9.
Note: Osage.

Page 33, #911, Ellen Martin, Canadian District, age 2.
Note: Osage.

This testimony will be filed with and made a part of the record in the following Cherokee doubtful cases:

A. L. Martin, D-1428.
Julia Martin, D-1429.
Aggy Martin, D-1430.
Ellen Martin, D-1431.

Wm. Hutchinson, being first duly sworn, states that as stenographer the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 30th day of August, 1902.

John C. Cossin
Notary Public.

COMMISSION TO THE INDEPENDENT
NOV 14 1902

REPORT OF THE COMMISSION TO THE INDEPENDENT
ON THE PROCEEDINGS OF THE COMMISSION TO THE INDEPENDENT
HOLDING THE HEARING OF THE COMMISSION TO THE INDEPENDENT

IN THE MATTER OF THE PETITION OF A. L. MARTIN
FOR A WRIT OF HABEAS CORPUS

REPORT OF THE COMMISSION TO THE INDEPENDENT

REPORT OF THE COMMISSION TO THE INDEPENDENT

THE TRIBUNAL OF THE COMMISSION TO THE INDEPENDENT

REPORT OF THE COMMISSION TO THE INDEPENDENT

REPORT OF THE COMMISSION TO THE INDEPENDENT

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REPORT OF THE COMMISSION TO THE INDEPENDENT

Cher. D-1428.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., November 13, 1902.

In the matter of the application for the enrollment of
A. L. Martin as a citizen by blood of the Cherokee Nation.

-----oOo-----

SUPPLEMENTAL STATEMENT.

The tribal rolls of citizens of the Cherokee Nation have
been examined, and the name of the applicant herein, A. L.
Martin, is identified thereon as follows:

1883 Roll, #830, Illinois District, as Eleck Martin.

1886 Roll, Page 46, #904, Illinois District, as Alex Martin.

The rolls of citizens of the Cherokee Nation made in 1890,
1894 and 1896 have been examined, and the name of the applicant,
A. L. Martin, cannot be identified of record thereon.

It is ordered that this statement be filed with and made a
part of the record in the matter of the enrollment of A. L.
Martin, Cherokee doubtful case 1428.

C. R. Austin
Commissioner.

COPY.

W. O. No. 23468-1902.

Refer to 13/13 in reply.

DEPARTMENT OF THE INTERIOR.

UNITED STATES INDIAN SERVICE.

Osage Agency, Pawhuska, Okla.,
December 1, 1902.

Commission of the Five Civilized Tribes,
MUSCOGEE, I. T.

Gentlemen,-

Replying to your several letters, dated Nov. 21, 1902, Cherokee D-1428, 1429, 1430 and 1431, inquiring relative to certain claimants for enrollment on the Cherokee roll, you are advised.

That A. L. Martin is not on the Osage roll, nor is he recognized as an Osage. He has some children on the roll who obtained their Osage blood from their mother.

No such name as Julia Martin appears on the Osage roll. If she is the wife of, or rather the widow of Felix Quinton, she is enrolled on the Osage roll as Julia Quinton, and is the daughter of Alex Martin.

No such name as Apple Martin appears on the Osage roll. If she is married to a man by the name of Ware and is the daughter of Alex Martin, she and her children are enrolled as Osages. The wife of Felix Quinton was Julia Martin, a daughter of Alex Martin.

The name of Ella Martin does not appear on the Osage roll. If she is married to a man by the name of McCombs and is the daughter of Alex Martin she is carried on the Osage roll as Ellen McCombs.

Very respectfully,

O. A. Mitscher.

U. S. Indian Agent.

J.V.P

Handwritten initials and marks.

... of the application for the ...
... citizen by ... of the ...

... from the record ... June 3, 1911,
... before ...
... application for the ...
... of the ...
... of ...

... in this case ...
... upon the 1903 and last Cherokee census ...
... It further appears that the said ... left the
... about the year 1892 and removed to the Osage
... where he has since resided, up to and including
September 1, 1907.

In a compact by and between the Cherokee and Osage Tribes
of Indians, on November 2, 1843, and Articles supplemental thereto
of December 13, 1844, it is provided that citizens of either Nation
may take up their residence and live within the limits of the other
Nation without effecting their citizenship in their own tribe.

It appears from a communication of ... United
States Indian Agent, Osage Agency, Lawton, Oklahoma, made a part
of the ... that the said ... is not enrolled as
a member of the said Tribe of Indians, nor is he recognized as such.

It is therefore the opinion of this Commission that ...
... of the ...
... of the Act of
... 18, (U. S. Stat., 42), and it is so
ordered.

Handwritten signature and official stamp.

Handwritten signature: C. R. ...

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Oklahoma, November 30th, 1909.

-----oOo-----

Cherokee Card No. 10900
Cherokee Roll No. 32600.

In the matter of the duplicate enrollment of A. L. Martin
as a Cherokee and Osage Indian.

Testimony of A. L. Martin taken at his home in Pawhuska,
Oklahoma, October 13th, 1909.

Examination on behalf of Commissioner:

- Q What is your name? A A. L. Martin.
- Q Did you enroll as a Cherokee? A Yes sir, I enrolled in the Cherokee Nation. I guess my father enrolled me when I was a baby and I have been enrolled ever since.
- Q You were enrolled then under the name of Black or Alex Martin, were you not? A Yes sir, that's my given name--Alex Martin.
- Q How old are you? A Sixty-four.
- Q What is your post office address? A Pawhuska.
- Q How long have you lived in the Osage Nation? A I guess I been here about twenty-three years.
- Q What was the name of your father? A Joseph L. Martin.
- Q He's dead is he? A Yes sir.
- Q And the name of your mother? A Julia Lumbey; she was an Osage; she's dead.
- Q What was your father? Cherokee? A Yes sir.
- Q Are you married? A Yes sir.
- Q What is the name of your wife? A Minnie.
- Q Is your wife enrolled? A My wife is a white woman; she is a step-mother of my eight children.
- Q How many? A Eight.
- Q Have you one named Julia Quinton? A Yes.
- Q And one named Aggie Ware? A Yes.
- Q And Ellen McCombs? A Yes.
- Q Those three are married? A Yes sir, and I have another daughter named Rachel Blackburn, she's married. Then I have a boy by the name of Salome Lumbey Martin and have a son by the name of William Henry Martin; now my son William Henry Martin has taken his rights in the Cherokee Nation, and I got a little girl, Bertha Martin, and Myrtle--she's taken her rights in the Cherokee Nation. Now all of us have taken our rights in the Osage Nation except William and Myrtle; they have taken their rights in the Cherokee Nation.

Witness here presents a letter signed by Chas. E. Cheney, Chairman of the Osage Allotting Commission, dated at Pawhuska, July 24, 1909, advising Mr. Martin, among other things.

A. L. Martin case----2

that his homestead selection is as follows:

"The NE/4 of NE/4, S/2 of NE/4 and NE/4 of SE/4, Section 8- 26 - 11, containing 160 acres. (Third selection)."

- Q Did you know that you were enrolled as a Cherokee and also as an Osage? A Yes sir, but I preferred to take my allotment in the Osage Nation.
- Q What was the name of the mother of your children? A Julia and Aggie's mother was named Rachel Sanders; and Ellen McCombs and Rachel Blackburn their mother was named Caroline Pettitt, she's dead; and William Martin's mother was named Emily McCollister, a Cherokee; and Salome Lumbeys mother was named Maggie Green, a white woman, she's living; Myrtle Martin's mother was named Maggie Quinton, a Cherokee, she's dead.
- Q Have you any certificate to your allotment as an Osage? A No sir, I haven't received my certificate yet.
- Q Do you know your roll number on the Osage roll? A No sir, I don't believe I do.
- Q When did you file? A I don't know just what month, but it was when this Allotting Commission was here.
- Q Your father was a Cherokee and your mother an Osage? A Yes sir.
- Q Where did you live before you came to the Osage Nation? A I lived in the Cherokee Nation down in the Illinois District.
-

Albert G. McMillan, being first duly sworn, states that the above and foregoing is a true and correct translation of his stenographic notes taken in the above entitled cause.

Albert G. McMillan

Subscribed and sworn to before me this 2nd day of December 1909.

Edward Morris
Notary Public.

Cherokee D-1428

Muskogee, Indian Territory, November 21, 1902.

O. A. Mitscher,

U. S. Indian Agent, Osage Agency,
Pawhuska, Oklahoma Territory.

Sir:-

There appears upon the 1880 authenticated roll of citizens of the Cherokee Nation the name of one A. L. Martin, aged 54 years. A note on said roll opposite this name is to the effect that A. L. Martin is now a citizen of the Osage Nation.

You are requested to advise the Commission if this person is a regularly enrolled and recognized member of the Osage tribe of Indians.

Respectfully,

Acting Chairman.

161. 1

161. 1

No. 7 Received

Book 11.

DEC 4 1902

Mitscher, C.A.,

CHE.

December 1, 1902.

States that names, A. L., Julia, Aggie, and Ellen Martin do not appear on the Osage roll.

13/13

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE.

Osage Agency, Pawhuska, Okla.,
December 1, 1902.

Commission of the Five Civilized Tribes,
MUSCOGEE, I.T.

Gentlemen,-

Replying to your several letters, dated Nov. 21, 1902, Cherokee D-1428, 1429, 1430 and 1431, inquiring relative to certain claimants for enrollment on the Cherokee roll, you are advised:

That A. L. Martin is not on the Osage roll, nor is he recognized as an Osage. He has some children on the roll who obtained their Osage blood from their mother.

No such name as Julia Martin appears on the Osage roll. If she is the wife of, or rather the widow of, Felix Quinton she is enrolled on the Osage roll as Julia Quinton, and is the daughter of Alex Martin.

No such name as Aggie Martin appears on the Osage roll. If she is married to a man by the name of Ware and is the daughter of Alex Martin she and her children are enrolled as Osages. The wife of Felix Quinton was Julia Martin, a daughter of Alex Martin.

The name of Ellen Martin does not appear on the Osage roll. If she is married to a man by the name of McCombs and is the daughter of Alex Martin she is carried on the Osage roll as Ellen McCombs.

Very respectfully,



U.S. Indian Agent.

JVP

COPY.

Cherokee D-1423.

Muskogee, Indian Territory, May 2, 1905.

V. V. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 2, 1905, granting the application for the enrollment of A. J. Martin as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Tamc Dixey
Chairman.

Incl. 3-34

COPY

27-1118.

Washington, D. C. August 10, 1905.

A. L. Martin,

Pawhuska, Oklahoma.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 2, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly advised.

Respectfully,

Incl. S-46.

Chairman.

57482-09

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,

(Copy)

Osage Indian Agency,
Pawhuska, Oklahoma,
Oct. 13, 1909.

TO THE DAWES COMMISSION,
Muskogee, Oklahoma.

Sirs:

Referring to oral inquiry of your Mr. A. G. McMillan, I have the honor to inform you that Alex Martin, now age 63, is a duly enrolled member of the Osage tribe of Indians under the Act of Congress approved June 28, 1906, Public No. 321, his allotment number is 1515, and as such Osage Indian has been allotted 165.15 acres as a homestead and 490 acres of surplus land. He has enrolled with him on the Osage roll, one minor child named Bertha Martin, who has been allotted similar lands.

Very respectfully,

Hugh Pitzer,

Superintendent.

W.H.P.

Muskogee, Oklahoma, December 8, 1909.

Subject:
Double enrollment
of A. L. Martin,
Cherokee.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to bring to the attention of the Department the case of A. L. Martin who is enrolled as a citizen of the Cherokee Nation, his name appearing opposite No. 32600 on the approved roll of such citizens. The office has also ascertained that Mr. Martin is enrolled in the Osage Nation under the name of Alex Martin.

Relative to this matter the testimony of A. L. Martin was taken on November 30, 1909, in which he stated that he was enrolled as a Cherokee under the name of A. L. Martin, and that he was also enrolled as an Osage under the name of Alex Martin; and that he had elected to take his allotment in the Osage Nation.

The office is also in receipt of a statement from Hugh Pitzer, Superintendent of the Osage Indian Agency, to the effect that Alex Martin is enrolled as an Osage and as such has taken an allotment in the Osage Nation.

Secretary - 2.

No allotment of land in the Cherokee Nation has been made to this citizen.

I, therefore, have the honor to recommend that the following notation be placed upon the approved rolls of the Cherokee Nation opposite No. 32600:

"Allotted as an Osage; not entitled to allotment in the Cherokee Nation."

A copy of the testimony of A. L. Martin and of the letter of the Superintendent of the Osage Agency are enclosed herewith.

Respectfully,

VSUM (LEA)

Acting Commissioner.

Encl. 8-7.

Through the Commissioner
of Indian Affairs.

Land-
Population
99256-1909
J E D

Copy

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

Double enrollment
of A. L. Martin.

DEC 22 1909

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a letter of December 8, 1909, from the Acting Commissioner to the Five Civilized Tribes relative to the enrollment case of A. L. Martin, whose name appears opposite No. 32600 on the final approved roll of citizens by blood of the Cherokee Nation. It appears from the inclosed papers that A. L. Martin has been enrolled as an Osage Indian and has been allotted lands in the Osage Nation.

The Office therefore recommends that on the final approved roll of citizens by blood of the Cherokee Nation there be placed opposite the name of A. L. Martin at No. 32600 the notation--

Allotted as an Osage; not entitled
to allotment in the Cherokee Nation;

and that this Office and the Commissioner to the Five Civilized Tribes be authorized to make a similar notation on the copies

L-99256-2

of the roll in their possession.

Very respectfully,

(Signed) F. H. Abbott,
Commissioner.

MT-18
6707

Dec. 27, 1909

Approved.

(Signed) Frank Pierce.
First Assistant Secretary.

Land-
Population.
99256-1909
J E D

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. WHG

Double enrollment
of A. L. Martin.

JAN 7 1910

The Commissioner

to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:

Referring to the report of December 8, 1909, from the Acting Commissioner to the Five Civilized Tribes, relative to the enrollment case of A. L. Martin, you are advised that the Department, on December 27, 1909, authorized the placing on the final approved roll of citizens by blood of the Cherokee Nation, opposite the name of A. L. Martin, at No. 32600 thereon, the notation:

Allotted as an Osage; not entitled to allotment in the Cherokee Nation.

A copy of approved Office letter of December 22, 1909, is transmitted herewith for your information and guidance.

Very respectfully,

(Signed) C. F. Hauke
Chief Clerk.

RES-4
6932

Cher 10901

Mary B. Church

Trans. from D3107

Cher 10901

EXHIBIT NO. 1 OF THE INTERIOR,
COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS.

Record in the matter of the application for the enrollment
as a citizen of the Cherokee Nation of:

Walter T. Church -----Cherokee-D-3107.

D. 3100

Commission to the Five Civilized Tribes,
1870, 1871

In the matter of the application of W. T. HIGHTT, ET AL.,
for enrollment as citizens of the Nation.

All of which, being read, the Commission,
finds as follows:

- Q. What is your name?
A. W. T. Hightt.
Q. What is your age?
A. 40 years.
Q. What is your occupation?
A. Farmer.
Q. Do you desire application for enrollment?
A. Yes, for the following named persons on the 1880 Cherokee roll, their families and their descendants:

Mary B. Child #542 Tahlequah District.

Also on 1894 strip payment roll, page 1031, #429, Tahlequah Dist.

Q. Are there any other persons for whom you desire to make application for enrollment?

A. I desire to apply for the following named persons on the 1880 Cherokee roll, their families and their descendants:

E. C. Baywell, on oath states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

Subscribed and sworn to before me this December 9, 1902.

B. C. Jones
Notary Public.

... ..
... ..
... ..
... ..

I am in receipt of the publication of "The American People" for which I am very grateful. I am sure it will be of great value to the people of the United States.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Application not granted; Application not granted by the Clerk Joseph A. Adinot.

SPANZA, a man of color, age 27, single, born and raised in the
 District of Columbia, testified that he was sworn, and examined

Q What is your name? A Franklin Thomas Harding.
Q How old are you? A 47.
Q What is your present home address? A 144 Legu, Indian Territory.
Q How long have you lived at that address? A 1 year.
Q Do you know any one named A. W. S. S.?
A Yes, I do. He is a white man older than I am, say 60 years;
he is a white man I know of.
Q How long have you known him? A He's a first cousin of mine.
Q How long have you known him? A He is; her father was Minor
Harding.
Q How long have you known him? A About a quarter I guess;
I don't know for sure.
Q How long have you known him? A Her father's death.
Q How long have you known him? A I don't know his first name;
I don't know his name.
Q How long have you known him? A Yes, a citizen of Connecticut.
Q How long have you known him? A I don't think so; I saw him 2 years ago.
Q How long have you known him? A I don't know.
Q Where was he? A I don't know. A He was born in the nation;
I don't know where he was born in Connecticut.
Q How long have you known him? A I don't know. A He was born in the nation;
I don't know where he was born in Connecticut.
Q How long have you known him? A I don't know. A He was born in the nation;
I don't know where he was born in Connecticut.
Q How long have you known him? A I don't know. A He was born in the nation;
I don't know where he was born in Connecticut.
Q How long have you known him? A I don't know. A He was born in the nation;
I don't know where he was born in Connecticut.

10-10-1937: A card listed names of persons registered as membership in Cherokee Nation by the Cherokee National Council. The above named person, female, aged 30, was listed under by Commission on June 26, 1937.

1. The first of these is the fact that the United States is the only country in the world which has a free press. This is a great advantage, for it allows the people to know what is going on in their country and to express their opinions freely. It also allows the government to hear the views of the people and to make changes when necessary.

... several years; ...
...
... closed.

[illegible]

1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them. The list includes names such as "J. A. Smith", "W. B. Jones", and "C. D. Brown", among others. The addresses are also written in cursive and include street names and city names.

... ..

[illegible]

What time did you get to that place? A quarter of 10; I think the
moment she came it claims it was, but it has always been on it
and I think; she won't be placed from my brother and I happen
to know the place; it's near there.

Do you know whether he has been receiving rents from that place?

cultivation for the present and for the future as far as it ever goes.

As I understand it, when the lieutenant improved to a place under that contract and then obtained it as his own. It is just a matter of time if that is all it is; he never told me what he did, but I haven't seen him for over a year; last time I seen him I saw he had done a lot of work on it, but I understand

THE UNIVERSITY OF CHICAGO PRESS

Full name: A. I don't know. Age: 75.0.

Did any of them ever give an agent time to look after the place in 1962? A lot of regularly appointed agent. Who was assigned to different times to look after it. Last time I was in Connecticut who asked me verbally to look after the place but I've never been on 11-5-61.

Do you have the cash to cover your expenses? ☒ Yes, ☐ No.

"And is it only property that is covered in this 'exclusion'?"

It is not the only property.

12. e. m. m. d. A. V. 0.

10. Is the number of errors in the text of the manuscript more than 10? Corrected: 2

She has lived at her father's home; she has lived with all her life at her father's home, her father and her step-mother.

1. What is the purpose of this document?

7-11-1964, 11:00 AM

Q Now, I don't think there is any in this.

Nabel F. Maxwell, with duly sworn, states that, as stated in her commission to the Live Civilized Sales, she correctly recorded the supposed oral testimony in this case, and that the above and foregoing is a true and complete transcript of her stenographic notes in this case.

Nabel F. Maxwell

Subscribed and sworn to before me
this 10th day of December, 1933.

Samuel Foreman

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE-CIVILIZED TRIBES.
TAHLEQUAH, I. T., January 6, 1904.

In the matter of the application of Mary B. Church for enrollment as a citizen by blood of the Cherokee Nation.

Franklyn J. Boudinot, being duly sworn and examined by the Commission, testified as follows:

- Q What is your name? A Franklyn J. Boudinot.
Q How old are you? A Thirty-seven years old.
Q What is your post office address? A Tahlequah, Indian Territory.
Q Are you a citizen of the Cherokee Nation? A Yes sir, citizen by blood.
Q You appear Mr. Boudinot on behalf of Mary B. Church for whose enrollment application has been made to this Commission, do you? A Yes sir.
Q Is Mary B. Church a Cherokee by blood? A Yes sir.
Q Is she related to you? A She is my first cousin. Her mother was my father's sister.
Q Her mother was a Cherokee? A Her mother was a Cherokee by blood.
Q Her father was a white man, a non citizen? A Yes sir, non citizen. He is living yet.
Q Where was Mary B. Church born? A I think she was born in Connecticut; she wasn't born in the nation.
Q Did her mother ever live here in the nation? A Her mother was born in the old Cherokee Nation in Georgia and moved out here in '39.
Q And then left the country again? A This is a matter of historical knowledge; I am not old enough to remember; she came out here with her father, Elias Boudinot, in 1839, in June, and he was assassinated out here near Parkhill.
Q And she married and left the nation? A She was a child then. Her stepmother and my grandfather had married again and her stepmother took her with the other children to Vermont. They stayed in Vermont until the children were nearly grown and then they went to live with their kin people in Connecticut.
Q Her mother then was married? A Yes sir, her mother was married and lived in Connecticut until she died.

It appears upon the Cherokee list of persons admitted and readmitted to citizenship in the Cherokee Nation that one Mary B. Church, thirty years old, was readmitted by a Cherokee Commission on Citizenship on June 28, 1887; is that the same Mary B. Church that you speak of? A Yes sir, that is the same Mary B. Church.

Q Where was she living at that time? A She was living in Connecticut.

Q Did she come to the nation after her readmission? A Yes sir. She may have been in the nation when she was readmitted; I know she came to the Cherokee Nation in 1889, she moved here and came to stay here.

Q Where did she come to? A She came to Tahlequah.

Q Do you know how long she resided in Tahlequah? A About two years.

Q She had a home here, did she? A No sir, she was one of the teachers in the Female Seminary here and she lived with my brother.

Q Did she then remove from the nation? A The schools closed on account of appropriations that ran out and she went back to Connecticut to her father's.

Q During the time she lived in the nation did she acquire any property here? A Yes sir.

Q What was that property? A It was an improvement on the public domain.

2-Mary B. Church-

As described in this Bill of Sale.

Q A farm? A Yes, a farm.

Q You hand me here, Mr. Boudinot, a Bill of Sale dated October 18, 1890, conveying to Mary B. Church a certain improvement on the public domain of the Cherokee Nation, signed by Addie Boudinot. This Bill of sale will be filed and made a part of the record in this case. You also hand a Bill of Sale dated July 31, 1890, from Tom and Addie Henson, his wife, conveying a certain improvement in the Cherokee Nation to Mrs. E. C. Boudinot Jr. This Bill of Sale relates to the same place? A Yes sir, to the same place. Mrs. E. C. Boudinot's name is Addie.

Q What did Mary B. Church do with this place when she went back to Connecticut? A Well, when she bought the place she made a contract with the man that was on the place, with this Tom Henson.

Q An improvement contract? A Yes sir.

Q Is Tom Henson still on the place? A I couldn't state that positively, but I think he is. He was the last time I was there.

Q How long ago was that? A That was about six years ago.

Q Do you know whether Mary B. Church still owns that farm? A Yes sir, she still owns that farm.

Q She never sold it? A No sir, she never sold it.

Q Do you know what improvements are on it? A I couldn't say what improvements are on it now. The last time I saw it there were about fifty-five acres in cultivation, cleared and in cultivation. It was very heavily timbered, Arkansas bottom land. When the Railroad came through there they calculated it at \$18.00 an acre.

Q This Tom Henson cleared the land under a rental contract with Mary B. Church? A Yes sir.

Q Are there any houses on the place? A Some log houses.

Q All the improvements belong to her, do they? A Yes sir.

Q Has she any other property that you know of in the nation? A No sir.

Q She don't own any stock or anything like that on the farm? A No sir, she bought the place in October, 1890, and the schools closed the next January. She was an unmarried girl and she depended on her own work for a living and when she went back she stayed over the next summer to the next summer. She intended to come back, but not getting a position in the Seminary and having a position offered her in the Gunnery Schools at Washington, Connecticut.

Q Was her mother living at the time she came out here in '89? A No sir.

Q Is it your understanding, or do you know whether she intended in coming here to make her home in the nation? A She did, yes sir, and has ever since. It has only been a question with her as to how she would live after she got out here.

Q How long did those schools remain closed? A They remained closed until the next fall.

Q About a year they remained closed? A Nearly a year, yes sir.

Q Do you know whether she applied for a position after the schools opened? A Yes sir, she did.

Q And she failed to get it? A Yes sir, she had the appointment when the schools closed; she had the appointment for a year.

Q That is her profession, a teacher? A Yes sir; she has had the same position in the gunnery that she was appointed to then ever since.

Q At the time she left the Cherokee Nation, at the time of closing the schools she intended to come back, did she? A Yes sir.

Q To take her old position if she could get it? A Yes sir.

Q Is she married? A No sir.

Q How old is her father? A I don't know to my own knowledge; he is seventy-nine years old though and is in very feeble health. He is in his Seventy-ninth year.

Q Now, it appears that on December 18, 1903, she was advised by the Commission's letter of that date that the Commission did not

3-Mary B. Church-

desire to finally determine her right to be enrolled without giving her an opportunity to present such evidence as she might desire relative to her citizenship and that her personal appearance at the office of the Commission here at Tahlequah was advisable; do you know whether she intends to come out here and give evidence before the Commission? A She does not intend to come if she can help it.

Q State the reason why it wouldn't be convenient for her to come if you know? A On account of the feeble health of her father.

Q Are there any other members of the family besides her living there? A Not with her father.

Q She is taking care of him? A Yes sir; she would like to be allowed to file a deposition if it could be filed.

Q Do you know whether she regards the Cherokee Nation as her home?

A Well, I don't know; I couldn't say anything more than the facts I have stated. She always, ever since I have seen her, and whenever I heard from her, she always spoke of coming back here.

Q You don't think she has ever abandoned the nation, do you? A No sir, I do not.

Q Is her father dependent upon her for care and support? A Well, I couldn't say as to that; she lives with her father.

Q You say he is in feeble health? A Yes sir, very feeble health.

He had a severe spell of sickness last winter and he has never entirely recovered.

Q And it wouldn't be advisable for her to leave him for any considerable length of time? A No sir.

Q Do you know whether she has ever tried to get a position in the schools here since she left except that one time you speak of? A I won't be positive about that. I think so.

Q You say she has had a position right along in Washington, Connecticut? A She has the same position that she was appointed to then.

Q She wrote you, I believe, in answer to the Commission's letter of December 18th? A Yes sir, she did.

Q Do you know whether she is holding this farm of hers with the purpose of taking her allotment there? A Yes sir; the land is graded at \$6.50 and she couldn't take all of it.

Q You have heard from her frequently, have you, since she left here?

A Yes sir.

Q Did you visit her in Connecticut? A Yes sir.

Q And from all the conversation you have had with her and the correspondence you had with her, is it your understanding and belief that she regards the Cherokee Nation as her home and she never intended to abandon her connection with the tribe? A Yes sir; that is what she always said.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 9th day of January, 1904.

Notary Public.

Certificate of Admission to Cherokee Citizenship

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION

To all Whom it May Concern—GREETING

This is to Certify, That the following named, to wit:

Wm. B. Cherry

did, pursuant to the provisions of an Act of the National Council of the Cherokee Nation, approved December 8th, 1886, entitled "An Act providing for the appointment of a Commission to try, and determine, applications for Cherokee Citizenship," make such application to and before said "Commission" on the *1st* day of *June* 1887; that the proof submitted by the above named *Wm. B. Cherry* in support of *his* said application has been found, and is hereby declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of Section Seventh of said Act of the National Council - and that, by virtue of such finding of fact by the Commission, and in conformity with the Fourteenth Section of said act, the above named parties (applicants for citizenship) are, from this, the date of said finding and decision of the Commission as announced and recorded, readmitted by the National Council, as provided in said Fourteenth Section, to the rights and privileges of Cherokee citizenship under Section 2, Art 1 of the Constitution of the Cherokee Nation; and this certificate of the said decision of the Commission and of re-admission by Council is made and furnished to the said parties accordingly

IN WITNESS WHEREOF, I hereunto sign my name, as Chairman of
the Commission, on this the *1st* day
of *June* 1887

J. N. Shair

Chairman Commission

ATTENT:

C. C. Ligon

Chief Commission

Approved and endorsed

D. W. Bushyhead

Principal Agent

Wm. B. Cherry
Wm. B. Cherry

Tom Henson and Adie Henson,
his wife,

-To-

Mrs. E. C. Boudinot, Jr.,

-D E E D-

Illinois District, Che. Nat.

KNOW ALL MEN BY THESE PRESENTS, That We, Tom Henson and Adie Henson, his wife, do here by for and in consideration of the sum of Two hundred and fifty dollars (\$250.00) the payment of which is hereby acknowledged, bargain, sell and convey to Mrs E. C. Boudinot, Jr., Citizen of the Cherokee Nat. her administrator, heirs and assigns a certain improvement known as Tom Henson's place, situated south of Vian Creek and bounded on the north by Vian Creek, on the west by the Boot Henson Estate place, on the south by Tatums place, on the east by Bill Thompson's place, and divided by marked and agreed lines, blazed between these places. Said place consisting of one log house and about three acres cleared land and fenced, and another field of about five acres with an area of about one hundred and twenty acres of uncleared and unfenced land; to ether with all rights and privileges and appurtenances thereto belonging.

And we do hereby further agree to warrant and defend and guarantee the title to Mrs E. C. Boudinot, Jr., her heirs, and assigns against all claimants whomsoever.

Signed and delivered in the presence of the subscribing witness at Sand Town, this July 31st, 1890.

Signed in presence of

R. C. Adams.

her
Adie X Henson
mark.

his
Thomas X Henson
mark.

I hereby certify that the foregoing is a true copy of the original.

(SEAL) This 25, Oct., 1890.

Allen Ross,
Clerk T. D. C. N.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION
TAHLEQUAH, INDIAN TERRITORY.
JANUARY 5, 1904.

W. C. Bruton
I, ~~W. C. Bruton~~, Executive Secretary of the Cherokee Nation
do hereby certify that I have carefully compared the foregoing
Bill of Sale or Deed from Tom Henson and his wife Adie Henson to
Mrs E. C. Boudinot Jr., with the official record found on pages
182 and 183 of Record of Improvements, Tahlequah District, Cherokee
Nation now on file in this office and that the same is a true, full
and literal copy from said Record.

W. C. Bruton
Asst. Executive Secretary, Cherokee Nation

Bill of Sale

of
Improvement

from
James Davidson
to
James Davidson
in 1811 & 1812

Wabigoon County, Minn.
Oct 18 1890

I, the undersigned, of the County of
Wabigoon, State of Minnesota, do hereby certify
that I, Adeline Bondine, one of
E. C. Bondine & Co. of Lake, Washburn
have this day for use in the consideration
of the sum of One Hundred and Fifty
Dollars (\$150.00) to me paid in hand
the receipt of which I hereby acknowl-
edge. I have and am sold and by these
deeds do hereby convey sell and con-
vey unto Mary B. Church of Lake
County, Minnesota all of my right
title and interest in and to a certain
confinement upon the public domain
of the United States situated in Sand
Creek Bottom in Illinois District, Ter-
ritory of Minnesota and near the mouth of
the Sand Creek where it empties into
the Arkansas river and known as
the Tom Benson Place and particularly
situated, described, and bounded
as stated in the Bill of Sale
from Tom Benson and his wife Adie
Benson to me which is herewith trans-
ferred and delivered to the undersigned Mary
B. Church. I do hereby agree to con-
firm and defend the title to the afore-
said confinement from all persons
all adverse claimants whatsoever.

Witness my hand and seal this 18th day of October 1890.
Adeline Bondine

Acknowledged before me, Allen Ross
Clerk of Tahlequah District Cherokee
Nation

Allen Ross
Clerk of Tahlequah District
Cherokee Nation

I hereby certify that the foregoing
Deed has been Recorded by me in
the Clerk's office of Tahlequah Dis-
trict Cherokee Nation

"Register of Improvements" Page 183.

Oct 27th 1890

Allen Ross.
Clerk, T.C.N.

I have written to you
 before and now I am
 writing again to tell you that
 I am still in the same
 place, and I am still
 waiting for you to come
 and see me. I am still
 in the same place, and I
 am still waiting for you
 to come and see me. I
 am still in the same place,
 and I am still waiting for
 you to come and see me.

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Cherokee D-3107.
Allotment H.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.

Tahlequah, I. T., February 14, 1905.

In the matter of the application of Mary B. Church
for the enrollment of herself as a citizen by blood of the
Cherokee Nation. No. D-3107.

FRANK J. ROUDINOT, being duly sworn and examined
by the Commission, testified as follows:--

- Q What is your name? A Frank J. Roudinot; 38 years old.
Q You are a Cherokee by blood? A Yes sir.
Q You have this day appeared before the Commission and made
application, under power of attorney, for an allotment of
land in the Cherokee Nation for Mary B. Church? A Yes sir.
Q She is a cousin of yours? A Yes sir, first cousin.
Q Where does she reside? A She resides at present in
Washington in the State of Connecticut.
Q Is she a Cherokee by blood? A Yes sir.
Q Was she born here? A No sir.
Q Where was she born? A She was born in Washington, Con-
necticut.
Q Was she admitted or re-admitted to citizenship in the
Cherokee Nation? A Yes sir.
Q Do you know in what year? A I think in 1887.
Q Do you know the name of her father? A I think his name
is Henry Church.
Q How long has he been dead? A He's alive yet.
Q What was her mother's name? A Fleana Roudinot.
Q Is she dead? A Yes sir.
Q Do you know how long she has been dead? A 25 or 30 years.
Q Has Mary B. Church any brothers or sisters? A No full
brothers or sisters.
Q None on her mother's side? A No sir.

BY THE COMMISSION:

There appears upon a copy of the list of persons
admitted and re-admitted to Cherokee citizenship by the
National Council and Commissions on citizenship in the
year 1880, and since that year, a Mary B. Church; age 30;
female, "re-admitted by Com. June 28, '87". Said copy
was formerly in possession of the representatives of the
Cherokee Nation.

- Q Did Mary B. Church come to the Cherokee Nation after she
was admitted in 1887? A Yes sir.
Q Do you know what year? A She came here in 1889.
Q Did she take up her residence here? A She came with the
intention of making her home here, so she said then, and
so she says now.

- Q How long did she remain at that time? A Several years, she taught school here during the school term and then she would go back in vacation.
- Q When she came in 1889 do you know how long she remained continuously? A I think she stayed until 1891, until the High Schools closed.
- Q Do you know what time in 1889 she came? A In the summer.
- Q Did she stay then during that school year? A Yes sir.
- Q Then she went back to Connecticut? A Yes, she went back to Connecticut.
- Q Do you know how long she remained then? A She remained in the summer vacation and came back in the fall.
- Q Did she teach the next term of school? A Yes sir.
- Q When that term of school was out did she go back to Connecticut? A Yes sir. The schools closed in the middle of the year that time for lack of appropriations.
- Q Since that time did she ever come to the Cherokee Nation? A She got a position in the Gunner School in Washington, Connecticut and has been teaching ever since.
- Q Then since she left at the close of the term of school in 1892 or 1893 she never has lived here since? A No sir.
- Q Has she ever retained any property interests in the Cherokee Nation? A Nothing but a farm that she bought near Vian.
- Q In what year did she buy that? A I think in 1891; I state that from memory. The bill of sale would show.
- Q How long did she retain that property? A She owns it yet I guess. She's never sold it.
- Q She has never disposed of it? A No sir.
- Q Has she derived any rents from it? A No sir.
- Q Did she purchase the place outright? A Yes sir, she paid \$250.00 in money for it, with very little improvement on it at the time, practically none.
- Q In what way has she controlled the place since then? A The man from whom she purchased the place, Tom Henson, retained possession as her tenant, and he was to clear and put the place in a state of cultivation for the rents.
- Q She contracted for him to keep possession of the place and derive the rents therefrom, and in return he was to do certain work in the way of clearing, etc? A He was to clear it out and put it in cultivation. At that time there was no limit to the amount of land a citizen could hold in the Cherokee Nation, and the claim (we called them claims then) she bought was much larger than she can now allot.
- Q She has never made her home in the Cherokee Nation at all since not later than 1893, has she? A No sir, she has not resided here at all.
- Q Do you know more of the details of the contract that she and Henson entered into, with reference to the length of time he was to hold the place? A No sir, I don't. I never saw the contract. My brother, N. C. Boudinot, drew up the contract and very likely had it when he died. He died in '96.
- Q Has her land been filed on? A I have no way at present of locating that land, except that it is in the old Tom Henson place, and I find here that Tom Henson filed on all the land that he had possession of in Section 10, 11, 22, with the exception of 60 acres of \$4.00 land on the eastern side of the section; whether that is a part of the Tom Henson place, whether in cultivation, or whether there are

any improvements on it, or whether anybody else claims it I am unable to state. I would like to state further that after I gave my testimony in her enrollment case I wrote a letter to Tom Henson and asked him to write to me or come and see me about a division of that place so that Miss Church could file on the 50 acres that she would be entitled to, as I understood that it was graded at \$6.50, being botto m land. Henson came up and filed but took sick while he was here, anyhow he went home and died a short time afterwards.

Q Do you know who controls his estate? A No sir, I do not.

Joe Chambers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony in this case and that the above and foregoing is a true and complete copy of his stenographic notes.

Subscribed and sworn to before me
this 14th day of February, 1905.



Notary Public.

Cherokee D. 1107

Tahlequah, Indian Territory, November 1, 1903.

F. J. Boudinot,

Tahlequah, Indian Territory.

Dear Sir:

Application has been made to this Commission for the enrollment as a Cherokee citizen of one Mary B. Church who would be now about 47 years old and whose name appears on the Cherokee census roll of 1896 in Tahlequah District. The Commission has information that you know something concerning the said Mary B. Church and I so you are requested to appear before the Commission at its offices in Tahlequah, Indian Territory, and give such information as you may have relative to the present status as a citizen of the Cherokee Nation of the said Mary B. Church.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

JAM. H. HARRIS
THOMAS H. HARRIS
W. E. HARRIS

Cherokee 3107.

ALISON A. AYERS, JR.
137

Tablequah, Indian Territory, December 13, 1903.

Mary B. Church,
Washington, Connecticut.

Dear Madam:

Application has been made to this Commission for your enrollment as a citizen of the Cherokee Nation, your name appearing on the Cherokee census roll of 1896, Tablequah District.

It appears that you were admitted by the Cherokee authorities on June 28, 1887. Before the Commission can properly determine your right to enrollment it will be necessary for you to show whether, and in what manner, you have identified yourself with the Cherokee tribe. Your residence since 1887 and whether you have property in the nation should be established.

Franklin J. Boudinot has been examined relative to the matters herein referred to and he testifies that you have lived all your life without the limits of Indian Territory, excepting about two years, and that you own a farm in the Cherokee Nation. The Commission, however, does not desire to finally determine your right to be enrolled without giving you an opportunity to present such evidence as you may desire relative to your citizenship.

Mary R. Church -2

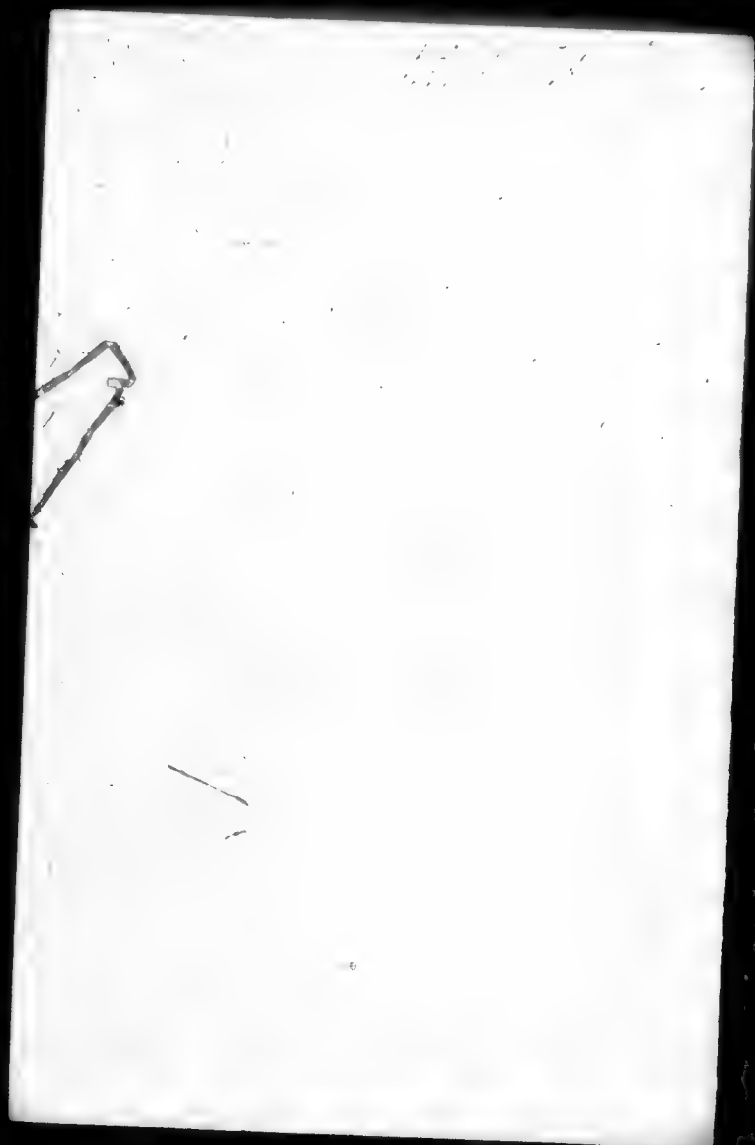
Your personal appearance at the offices of the Commission, at Tablequah, Indian Territory, is advisable, and you will be allowed until February 1, 1904, to introduce any evidence that you may wish.

Respectfully,

A handwritten signature in cursive script, appearing to read "C. R. Buchanan".

Commissioner in Charge
Cherokee Land Office.

EGR.



My dear Mr. [unclear]

I have just received your letter of the 11th inst.

and am glad to hear that you are well.

I am,

Yours,

[unclear]

[unclear]

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21. Jan. 1867.

1867

Mr. J. E. Thompson, Secy. in
charge Indian Land Office,

Dear Sir,

Yours

Letter of request is now
application for enrollment as a
citizen of the Cherokee Nation is
received by me. I wish to
know whether you are
satisfied with the application is
advised. It is believed is that it
will be all right. I will not
the right of the Indian to stop
exacting about the same, and
that you are in the
the line is certainly not at all

[illegible]

the first of Feb. or not. If
I cannot I suppose I will -
lose my rights and my little
farm! ^{and} ^{will} ^{lose} -

(This) Mary W. Church

Washington, Connecticut
Jan. 21 1906.

MURCHISON & BOUDINOT
ATTORNEYS AT LAW
FAIRFIELD, CONNECTICUT

January 9, 1904.

Miss Mary B. Church,
Washington, Connecticut.

Dear Cousin Mary:-

I received your letter of December 28, 1903, relative to your application ^{for} citizenship before the Dawes Commission. I have taken the matter up and made the record complete up to date.

The Commissioner in charge told me that he did not think that it would be necessary for you to come out, inasmuch as I was able to testify under oath to all the material facts in this case. I shall ask for a copy of my testimony and mail the same to you soon. If it should be necessary for you to come out later, you will be notified either by me or the Commission in good time for you to arrange to come. I think that it would be a good idea if you would make the trip to Washington, D. C. and get Senator Platt to write a letter for you as you suggested, ^{state} ~~stating~~ the whole case to the Senator and he will know what to write.

Carrie's address in Washington is 1319, Columbia Road, Northwest. I think it would be advisable for you to have prepared a Power of Attorney for me to attend to your farm near Vian, mentioning especially in the writing that my authority is to have surveyed and designated the fifty acres (you understand that the land down there is graded at \$6.50, per acre, and you will be allowed to select only fifty acres for your allotment) you are entitled to. I will mail you a copy of the allotment law when I send you a copy of my testimony, which will explain all you desire to know as to alienation of land, taxes and etc.

Annie and little Frank are both quite well, we are living at
Tahlequah now, at the old place. Mother is with us and is in first
rate health. Elinor is also well. I hope your father will be
improved in health when you receive this.

Very truly your cousin,

I.A.

Frank J. Bouscain

Tahlequah, Indian Territory, January 16, 1904.

Mary R. Church,
Washington, Connecticut.

Dear Madam:

In answer to your letter of January 7, you are advised that Franklin J. Boudinot appeared before the Commission in your behalf and gave testimony relative to your residence and as to your maintenance of property rights in the Cherokee Nation. It is thought that your right to enrollment can now be determined, and if your personal appearance here should at any time be considered necessary you will be so advised.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

NOR.

165 St. Mark's Place.

7. 1. 1881.

1881.

My dear Mr. [unclear]
I have just received your letter of the 1st inst.
and am glad to hear that you are well.
I am writing you a few lines to let you know
that I am still in the same old place.
I am not at all well at present, but I am
hoping to be better soon.
I am, dear Mr. [unclear], very truly,
Your obedient servant,
[unclear]

a position at -
and
all
to
the
school
since
the
for
the

Cherokee D-3107

D-1068.

Muskogee, Indian Territory, July 15, 1904.

Frank Boudinot,

Tahlequah, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of June 27, asking that you be entered as attorney in the application of Mary B. Church, Cherokee D-3107 and William P. Boudinot, Cherokee D-1068. You also ask to be entered as attorney for Ed Ross, whom you state has applied for enrollment as a Cherokee freedman, and you request a copy of the records in each of these cases.

In reply you are advised that your name has been entered as attorney in the Cherokee cases above mentioned, and there are herewith inclosed copies of the records in each of the said cases. You are further advised that the Commission's records show that Edward Ross of Fort Gibson, Indian Territory, is listed on straight Freedmen card No. 23 and appears on the final roll of Cherokee Freedmen approved by the Secretary of the Interior, opposite No. 66; that Edmond Ross of Tahlequah, Indian Territory, appears on straight Freedmen card No. 1109, and upon the final roll of Cherokee Freedmen opposite No. 2630. You are requested to advise the Commission if either of these persons is the one inquired about in your letter.

Respectfully,

Incl. 3-57

Chairman.

Cherokee 7 3107.

Muskogee, Indian Territory, May 5, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 5, 1905, granting the application for the enrollment of Mary B. Church as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Commissioner in Charge.

Incl. 9-120

Cherokee D-3107.

Muskogee, Indian Territory, May 23, 1905.

Mary B. Church,

Washington, Connecticut.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 5, 1905, granting the application for your enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Jane Platt

Chairman.

Incl. S-40.

Cherokee D 3107.

Muskogee, Indian Territory, May 23, 1905.

Frank J. Boudinot,
Attorney for Mary B. Church,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 5, 1905, granting the application for the enrollment of Mary B. Church as a citizen by blood of the Cherokee Nation.

Respectfully,

Incl. 9-41.

J. B. Boudinot
Chairman.

Received within
preparation of
decision—

2/3-1905—

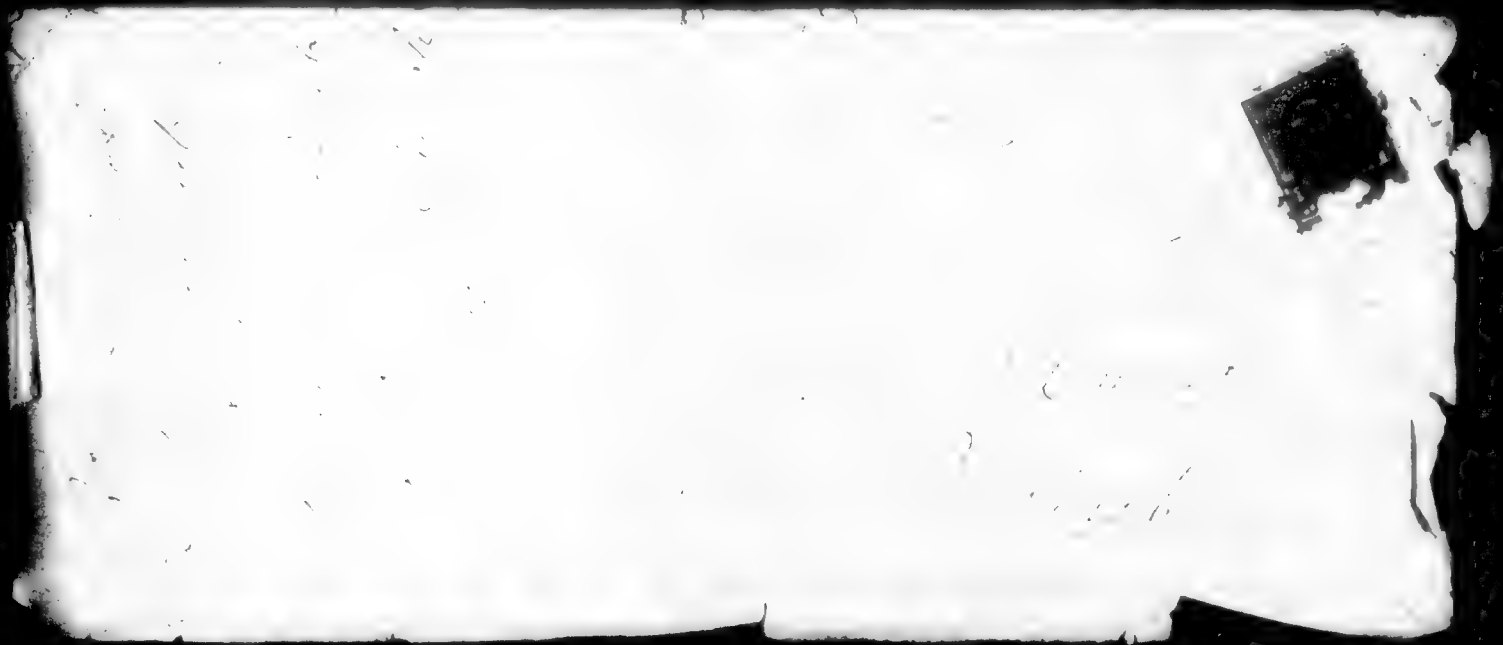
FR 18

[illegible]

11/11/11

11

1000





Department of the Interior

Continued on 41 to 42 Page Civilized Trib

MUSKOGEE IND. TER.

100% OFFICIAL BUSINESS.

Penalty for private use, \$300.

Mary B. Church,

Washington, Connecticut.



MURCHISON & BOUDINOT,
ATTORNEYS AND COUNSELORS AT LAW
TAHLIQUAH, IND. TER



165 St Marks Ave
Brooklyn
N Y

Cher 10902

Oscar Wilkerson

Trans. from R 554

Cher 10902

6

REPORT OF THE DEPARTMENT OF THE INTERIOR

FILED

ACTING CHAIRMAN

Wolff, Gary

[illegible]

RECORDED
JAN 10 1900

Department of the Interior,
Commission to the Five Civilized Tribes.
Claremore, I.T., October 30, 1900.

In the matter of the application of Ella Coon for the enrollment of herself, husband and three children as Cherokee citizens being sworn by Commissioner Breckinridge and examined by the Commission she testified as follows:

- Q What is your name? A Ella Coon.
Q Have you any middle name? A No, sir, not that I know of.
Q What is your age? A 32.
Q What is your postoffice address? A Watova.
Q Is that in the Cherokee Nation? A Yes, sir.
Q Do you make application for enrollment as a citizen by blood of the Cherokee Nation? A Yes, sir.
Q Who do you want to have enrolled? A Myself, husband and three children.
Q What degree of Cherokee blood do you claim? A I don't know.
Q What district do you reside in? A Cooweescoowee.
Q How long have you lived in the Cherokee Nation? A Born and raised here, so far as I know.
Q Have you been outside the Cherokee Nation at any time during the past three years? A No, sir.
Q What is the name of your father? A Lewis Bible.
Q Is he living? A Yes, sir.
Q Is he a Cherokee? A Yes, sir.
Q What is the name of your mother? A Ruth. Nicholson was her name.
Q Is she living? A No, sir.
Q What was your name in 1880? A Wilkerson I suppose.
Q What district were you enrolled in in 1880? A I don't remember, but my name is on the 1880 roll.
Q In what district were you enrolled in 1896? A In this district I think.
Q Are you married? A Yes, sir.
Q What is the name of your husband? A William Coon.
Q How old is he? A About 29 or 30 years old.
Q Is he living? A Yes, sir.
Q How long has he lived in the Cherokee Nation? A I think he has lived here 15 years.
Q What is the name of his father? A R.M. Coon.
Q Is he living? A Yes, sir.
Q What is the name of your husband's mother? A Sophia, I believe is his mother's name.
Q Were your husband's parents ever recognized citizens of the Cherokee Nation? A No, sir, they don't claim to be citizens at all.
Q When were you married? A 8 years ago this fall.
Q Did you secure a license? A We have a license, we have no certificate.
Q By whom were you married? A Preacher Jack, he is dead.
Q Did you secure your license from the Cherokee tribal authorities? A I suppose.
Q Where did you get your license? A At Vinita.
Q Did you get them in the United States Court there? A I suppose so.
Q Who issued the license to you? A Well I don't know who issued the license.
Q Have you that license with you? A No, sir, I haven't.
Q Don't you know of your own knowledge whether you received a license from the Cherokee Nation or whether you received it from the United States? A No I don't.
Examined by Chas. Rep'v'e Hastings:
Q Where is your husband now? A He is out in town.

- Q Why didn't he come up with you? A He staid to keep the baby, it is so noisy.
- Q Has he lived with you continuously since you married him?
- A Yes, sir.
- Q All the time? A Yes, sir, all the time. Of course he don't stay at home all the time; he works away from home a good deal of the time.
- Q What at? A He follows a threshing machine.
- Q Did he ever go away from your place with another woman since your marriage? A Not to my knowledge.
- Q You haven't accused him of it? A Why no, I haven't accused him of it.
- Q Hasn't he been away from home some considerable length of time for which he hasn't accounted to you? A I never asked him to give an account.
- Q Isn't it generally understood that he went off with another woman while you were living with him? A I didn't know that he did.
- Q You swear you never heard of it? A No, I won't swear it.
- Q Did you hear it? A Why, no, not particular; I heard first one and another saying first one thing and another.
- Q What did you hear? A He was staying here at Collinsville and someone told me he had another woman.
- Q How long was he gone at Collinsville at that time? A I guess he was there a month or so.
- Q How far is that away from your home? A I don't know.
- Q Where is your home? A We live up close to Watova now, we lived then about 10 miles from Claremore.
- Q It is about 18 miles from here to Collinsville? A I don't know.
- Q What direction did you live from Claremore at that time? A I reckon it must have been north-east of here. It's up towards Foyil.
- Q You say he was down there about a month; did he come home during that time? A Yes, sir.
- Q You are living with him now, peaceably as your husband?
- A Yes, sir.
- Q You recognize him as your husband? A Yes, sir, I do.
- Q You have got no kick coming? A No, no kick coming whatever; a woman aint accountable for what a man does, are they?
- Commission:
- Q Were you ever married before you married your present husband?
- A Yes, sir, I was.
- Q What was the name of your first husband? A Leonard Wilkerson.
- Q When were you married to him? A I expect it has been 20 years ago.
- Q Were you married before you were 12 years old? A I was married when I was 16 years old, and I am 32 now.
- Q How long did you live with him? A About four years.
- Q Is he a Cherokee or a white man? A Cherokee.
- Q Is he living? A I don't know; he was living the last account I had of him.
- Q Did you secure a divorce from him? A Yes, sir.
- Q Have you any evidence of that divorce? A I don't know.
- Q Where did you secure a divorce? A Tahlequah.
- Q At the tribal courts? A I guess so.
- Q Was the divorce granted to you or to him? A To him.
- Q Upon what grounds? A I don't know.
- By Hastings:
- Q Leonard Wilkerson alive? A He was the last time I heard of him.
- Q Were you present when the divorce was granted? A I was at Tahlequah.
- Q Were you up at the court house? A No, sir.
- Q Were you represented? A Yes, sir.
- Q Who represented you? A Ivy.

Q You never went up there? A No, I thought if he wanted a divorce to go ahead and get it.

Commission:

Q When was that divorce granted? A I couldn't tell you.

Q About how long ago? A About three years after we separated.

Q And you lived with him how long? A Three or four years.

By Hastings:

Q Was the divorce from Wilkerson granted before you were married to Coon? A Yes, sir.

Commission:

Q Give me the names of the children for whom you make application?

Q The oldest one is named Alice Coon.

Q How old is she? A She is seven years old.

Q What is the name of the next child? A Bertha Coon.

Q How old? A She is five years old.

Q What is the name of the next child? A Annie Coon.

Q How old is she? A She is two years old.

Q Are these children all alive and living with you? A Yes, sir.

Q Who is the father of these children? A My present husband.

Q You are the mother of the children? A Yes, sir.

Q Have they always lived in the Cherokee Nation? A Yes, sir.

1880 roll page 64 #147 as Ellen Bible Cooweescoowee, native Cher.

1896 roll page 128 #860 as Ellen Coon, Cooweescoowee.

1896 roll examined for present husband and name not found;

1896 roll page 128 #861 Alice Coon, Cooweescoowee.

1896 roll page 128 #862 Bertha Coon, Cooweescoowee.

Q Did you make application to the tribal authorities in 1896 for the enrollment of your husband? A No, I didn't ask particular; they asked me his name and I told them.

Q What did they tell you? A I don't know exactly what they told me, whether they told me anything or not.

Q Isn't it a fact that the reason they didn't enroll him was because he was married under the laws of the United States instead of the laws of the Cherokee Nation? A No, I reckon not.

Commission: The applicant applies for the enrollment of herself, husband and three children; she is identified on the authenticated roll of 1880 under her maiden name, as a native Cherokee; and upon the census roll of 1896 under the name of her present husband; she also appears upon that roll as a native Cherokee; she has lived in the Cherokee Nation all her life and will be listed for enrollment by this Commission as a Cherokee citizen by blood.

Her two older children are identified upon the census roll of 1896 as native Cherokees; their residence has been established to the satisfaction of the Commission and they will also be enrolled as native Cherokees; when she files with the Commission properly executed affidavits as to the birth of the youngest child, it also will be listed with her as a Cherokee citizen by blood.

She makes application in behalf of her husband, William Coon, a white man; he is not identified upon the census roll of 1896; his wife, the applicant, was formerly married to one Leonard Wilkerson, a white man; she avers that she secured a divorce from him but does not produce any documentary evidence of this fact; she will be required to file with the Commission a decree of the court granting a divorce from her former husband; she avers that she was married to her present husband eight years ago, but does not aver as to whether it was United States law or Cherokee law; he will therefore be listed for enrollment as an intermarried citizen upon what is known as a doubtful card, and the applicant will be required to file either the original or a certified copy of her Cherokee marriage license and certificate.

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) M. D. Green.

Subscribed and sworn to before me this 21st day of October, 1900.

(Signed) C. R. Breckinridge,

Commissioner.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur G. Croninger

Subscribed and sworn to before me this 26th day of November, 1901.

M. D. Green
Commissioner.

Notary Public

7-11 1554
DEPARTMENT OF THE ARMY
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAR 27 1901

CHEROKEES BY BLOOD AND ADOPTION.

Date

1900.

Name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

| | Year | Page | No. | Age |
|-------|------|------|-----|-----|
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
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Carroll

John H. Hargrave

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS, CIVILIZED TRIBE,
CHEROKEE NATION, I. T., MARCH 24th, 1901.

In the matter of the application of Leonard Wilkerson for the admission of himself and children as citizens of the Cherokee Nation, said Wilkerson has sworn and examined by Commissioner Bruckner, testified as follows:

Q Give me your full name. A Leonard Wilkerson.
Q How old are you? A About 39.
Q What is your occupation? A Starving.
Q Where do you live? A Caladilla.
Q What do you want to have put on the roll, just your name or just in self and three children.
A Just in self and three children.
Q How many? A No sir.
Q Do you claim as a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Give me the name of your father? A George Wilkerson.
Q Is he dead? A Yes sir.
Q Give me the name of your mother? A Susan Wilkerson.
Q Is she dead? A Yes sir.
Q Give me the names of these children? A The oldest one is named Eva.
Q How old is she? A She is 14.
Q The next child? A Minnie.
Q How old is that child? A She is 10.
Q The next child? A Oscar.
Q How old is he? A Seven.
Q Are these children all your own? A Yes sir.
Q Are all of them the children of your mother? A No sir, two of them by my first wife.
Q And only your second wife? A Yes sir.
Q Eva and Minnie are your first wife? A Yes sir.
Q Give me the name of the mother of Eva and Minnie? A Ellen.
Q Is she dead? A Yes, sir, she is dead.
Q Was she a Cherokee white woman? A Cherokee.
Q When did she die? A She died, I think it was in, I don't remember now, me and her married in '35 and lived together six years.
Q Died about 1891? A Yes sir.
Q How old was she when she died? A I disremember, she was only about 24 or 26.
Q Had she lived in the Cherokee Nation all her life? A Yes sir.
Q Give me the name of her father? A Bible.
Q Full name? A Lewis.
Q He is dead is he? A No sir.
Q Give me the name of your first wife's mother? A I do not know, she has been dead several years.
Q Now give me the name of your second wife? A Zepha.
Q Is she dead? A Yes sir, she is dead.
Q Was she Cherokee or white woman? A She was a white woman.
Q When did you marry her? A In '93.
Q How long has she been dead? A Been dead four years.
Q Have you a certificate of marriage between you and Zepha?
A No, sir, we was married under Cherokee laws.
Q Was she ever married before she married you? A I think she was.
Q How many times? A Only one time.
Q What was the name of her first husband? A John Carlile.
Q Was he dead when she married you? A No sir.
Q She was divorced from him? A Yes, she was divorced.
Q Have you a copy of the decree of divorce? A No sir, I haven't.
Q Where was she divorced from him? A I think it was in Flint District.

Leonard Wilkerson - 2

Q Have you a certificate of marriage to your first wife, Ellen?
A No sir.

Q Have you anyone here who knows that you and she were married or lived together? A No sir.

1890 Intercensal roll of citizens of the Cherokee Nation examined and Applicant's name and that of his first wife, identified thereon as follows: Page 827 #2731 Leonard Wilkerson Tahlequah District. Page 64 #147 Ellen Bible, Cooperscooke District.

Q Mr. Wilkerson, did you and your wife Ellen live together until she died? A No sir, we separated.

Q You separated, in what year, 1891? A It must have been about 1890, I guess.

Q You lived with her six years, and then separated? A Yes sir.

Q You testified awhile ago that you thought she was dead? A Well I heard she was dead; I first heard that she was married and then I heard she was dead.

Q Whom did you hear she married? A I heard she married a man by the name of Coon.

Q And then you heard she was dead? A Yes, sir.

Q And on second thought you think she is not dead? A I don't know it, I just heard it.

Q Did you get a divorce from her? A No sir, I just thought she was dead.

Q There was never any divorce proceedings between you and your first wife, Ellen? A No sir.

Q She was not represented by a lawyer named Ivey at Tahlequah? A Not that I know of.

Q You never applied for a divorce? A No, sir.

Q You never heard of her applying for a divorce? A Not that I know of.

Com'r Breckinridge:--- It is shown in the record of Ella Coon case #5151, that the applicant's first wife is living. She claims in her testimony that there was a divorce between her and her first husband, the present applicant, and reference will be made on her card and on card No. D 759, the same being the card of her present husband, to this testimony, and a copy of this testimony will be filed in case D #759.

1896 Census roll of citizens of the Cherokee Nation examined and applicant and that of his children found thereon as follows:

Page 1272 #3844 Leonard Wilkerson Tahlequah District;
page 1272 #3845, Eva Wilkerson, " "
page 1272 #3846 Minnie Wilkerson, " "
page 1272 #3847 Oscar Wilkerson, " "

(The name of applicant's second wife not found on roll of 1896?)

Q Were you ever married except these two times? A No sir.

Q Was your first wife ever married before she married you? A No.

Com'r Breckinridge: The applicant applies for the enrollment of himself and three children, by a former wife and one by his latter wife. The applicant himself is duly identified on the rolls of 1890 and 1896 as a native Cherokee; he has lived in the Cherokee Nation all his life and he will be listed for enrollment as a Cherokee by blood. His first wife when he stated at first to be dead is shown by subsequent developments in the testimony to be living.

Leonard Wilkerson - 3.

She is identified on the roll of 1890 as a native Cherokee and has already been enrolled under the name of Ellen Coon, the name she now bears. The applicant does not present a certificate of marriage to this woman, but it is established in a satisfactory manner by his testimony, sustained by that of the woman herself in her own application, a copy of the testimony in said case being filed herewith. The two children are fully identified on the roll of 1890. They are living and will be listed for enrollment as Cherokees by blood.

The applicant's third child, Oscar, the youngest of his children, is by his second wife, who is said to be now dead. The applicant's marriage to this woman is not supported by testimony, and even if it were, she being a white woman, and, as stated by him, there not having been any divorce between him self and his first wife, it would not be a marriage that would entitle the child to enrollment. It further appears that the mother of this child was herself once previously married, and that she was divorced from that husband, according to the testimony, but no copy of the decree of divorce is filed herewith. So in addition to the doubt arising from the divorce of this child's mother from her first husband, there is a certainty that the child's father, as shown by his own testimony, was not divorced from his first wife, therefore, the application for the enrollment of this child, Oscar, who is identified on the roll of 1890, but is shown not to be a child of a marriage that gives him the right of citizenship, is rejected, and he will be listed upon a rejected card under the status of a Cherokee by blood.

---ooo000ooo---

J.O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this March 29th, 1901.

J. O. Rosson
Notary Public.

[illegible]

1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.

In the absence of a full enrollment of
On or after June 1, 1960, at the University of Tennessee

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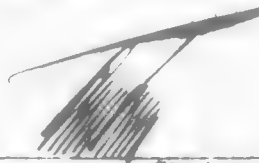
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...the

and to be in the date of this order.

It is, therefore, the opinion of this Commission that Oscar Wilkerson should be enrolled as a citizen of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved Jan. 28, 1896 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE TWO CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Witness my hand and seal this day,

MAY 4 1905

THIS IS TO CERTIFY THAT I AM THE OFFICER HAVING CUSTODY OF THE
RECORDS PERTAINING TO THE ENROLLMENT OF THE MEMBERS OF THE
MUSKOGEE, CHICKASAW, CHEROKEE, CREEK AND SEMINOLE TRIBES OF
INDIANS, AND THE DISPOSITION OF THE LAND OF SAID TRIBES, AND THAT
THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF

Cherokee Census Card
No. 10907

GABE E. PARKER, Superintendent.

BY *G. E. Parker* CLERK

IN CHARGE CHEROKEE RECORDS

DATE NOV 27 1915

ASm





Muskogee, Indian Territory, February 11, 1902.

Mr. Leonard Wilkerson,

Starvilla, Indian Territory.

Sir:

Upon an examination had in the matter of the application of yourself to be enrolled as a citizen of the Cherokee Nation, it is found that you have not supplied the Commission with satisfactory proof of your divorce from your former wife Ellen Wilkerson, nee Bible.

It appears from an examination had of the testimony in your case, that you testified that there had never been a divorce between yourself and your former wife Ellen. It developed later, in her application for citizenship, wherein she testified that you had secured a divorce from her at Tahlequah, Indian Territory.

You are requested to supply the Commission with a certified copy of the aforesaid decree of divorce as soon as possible, as it is essential in connection with your right to enrollment.

Yours truly,

Commissioner in Charge.

In answering refer to Cherokee No. 554.

Register.

RECEIVED
NOV 23 1902
U.S. DEPT. OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
WASHINGTON, D. C.

Cherokee R-554

Muskogee, Indian Territory, November 22, 1902.

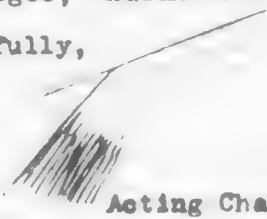
Leonard Wilkerson,
Starvilla, Indian Territory.

Dear Sir:-

You are hereby notified that, before the Commission can determine the right of your child, Oscar Wilkerson, to be enrolled as a citizen of the Cherokee Nation, it will be necessary for you to submit additional testimony as to your marriage to your second wife, Zepha.

You will be allowed 15 days from the date of this letter, within which to appear and introduce this testimony before the Commission at its offices at Muskogee, Indian Territory.

Respectfully,



Acting Chairman.

Cherokee P-354

Muskogee, Indian Territory, February 7, 1903.

Leonard Wilkerson,

Starville, Indian Territory.

Dear Sir:

You are hereby notified that before your application for the enrollment of your child Oscar, as a citizen of the Cherokee Nation will be complete, it will be necessary for you to introduce further testimony before this Commission as to the marriage to your second wife, Zepha.

This testimony can be introduced before the Cherokee Land Office of this Commission at Vinita, Indian Territory, on or before February 25, 1903.

When you appear please present this letter.

Respectfully,

Acting Chairman.

ORS

Cherokee R 554.

Tahlequah, Indian Territory, April 9, 1904 .

Leonard Wilkerson,

Starvilla, Indian Territory.

Dear Sir:

You have heretofore been requested to furnish the Commission with evidence of the paternity of Oscar Wilkerson for whose enrollment you made application, and also proof of divorce between Zepha, your former wife, and her first husband, John Carlile. Our records fail to show that you have yet complied with that request, and as the roll of citizens being prepared by this Commission is rapidly nearing completion, you are urged to appear at the Cherokee Land Office of the Commission at Tahlequah, Indian Territory, at the very earliest opportunity and furnish the evidence herein indicated.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

CWI

COPY.

Cherokee R-554.

Muskogee, Indian Territory, May 4, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 4, 1905, granting the application for the enrollment of Oscar Wilkerson as a citizen by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Incl. 5-53

Jams Dixby.
Chairman.

Cherokee R-584.

Mustorsee, Indian Territory, May 23, 1905.

Leonard Wilkerson,

Starvilla, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 4, 1905, granting the application for the enrollment of your minor child, Oscar Wilkerson, as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection for the said Oscar Wilkerson until his name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully

Chairman.

Incl. 3-59

COPIED

Cher 10903

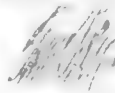
John Rider

Trans. from D2067

Cher 10903

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE CIVILIZED TRIBES

FILED
JUL 22 1902



AT THE CHAIRMAN

Page 2

CHEROKEES BY BLOOD AND ADOPTION.

1904. 2

Name *Big Cedar* Date *June 24*

District *Alleghuah* Year *1904* Page *1* No. *1*

Citizen by blood *1/2* Mother's citizenship *Creek*

Intermarried citizen *Cherokee*

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

| Dist. | Year | Page | No. | Age |
|-------|------|------|-----|-----|
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
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| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |

W. H. H. H.

Steno B. C. Jones

Not on any roll

Listed from information

RECEIVED
JUL 23 1902

B.R.-2

Witness G. Jones, being duly sworn, says that he is a member of the Court of the City of Chicago and that he has seen the following proceedings and testimony in the above case, and the following is a true and complete transcript of his stenographic notes thereof.

Sworn to and subscribed before me this 22nd of July, 1902.

Notary Public

copy

Department of the Interior,
Commission to the Five Civilized Tribes,
Peggs, I.T., June 25, 1902.

In the matter of the application of Big Rider for enrollment as a citizen by blood of the Cherokee Nation.

Joe Downing, appearing before the Commission and being duly sworn and examined, testified as follows:

- Q What is your name? A Joe Downing.
Q How old are you? A About 58.
Q What is your postoffice address? A Wagoner.
Q Have you been enrolled by this Commission as a citizen by blood of the Cherokee Nation? A Yes, sir.
Q Do you know a man named Big Rider? A Yes, sir.
Q About how old is he? A He must be something over 50.
Q What is his postoffice address? A It may be Melvin, he lives down in that country.
Q Has he got any other name besides Big Rider? A If he has I don't know it.
Q What district does he live in? A Tahlequah.
Q Is he married? A No, sir.
Q How long have you known him? A I have been knowing him ever since something about '65 or '64.
Q Has he ever been married? A If he has I don't know it.
Q Has he got any children? A No, sir.
Q Who was his father? A I don't know.
Q Did you know his mother? A No, sir.
Q Is he a full blood Cherokee? A Well I think he is part Creek.
Q Do you know whether he is Creek on his mother's side or on his father's side? A On his father's side.
Q His mother was a Cherokee, was she? A I think so.
Q Are you positive about that? A Just from information is all I know.
Q Has he always been recognized by the tribal authorities as a citizen by blood of the Cherokee Nation? A Yes, sir.
Q Has he lived all his life in the Cherokee Nation? A Yes, sir.
Q Is he living in the Cherokee Nation now? A Yes, sir.
Q Do you know under what name he could have been enrolled in 1880? A No, sir.
Q Do you know under what name he could have been enrolled in 1896? A No, sir, I don't know that either.
Q Was he ever in jail? A He was in Fort Smith jail quite a while.
Q About what year was that? A That is just a little too hard for me, I don't remember, must have been somewhere though in '70 if I am not mistaken.
Q Do you know whether he drew the strip money? A Yes, sir, he drew it I think.
Q Do you know under what name he drew the money? A No, sir, I don't.

The 1880 authenticated roll and the 1896 census roll of citizens of the Cherokee Nation examined, and Big Rider not identified thereon.

- Q Do you know whether he expects to appear before this Commission for enrollment? A I don't think he will.
Q If he expected to appear, would Melvin have been the nearest point for him to have made application? A Yes, sir.

Commission: Big Rider fails to appear before this Commission for enrollment. Satisfactory proof is made as to his residence, but he is not satisfactorily identified upon the tribal rolls.

This record will be forwarded to the Commission at Muskogee and Big Rider will be properly listed.

B.R.-2

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the following is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 23rd of July, 1902.

(Signature)
Notary Public.

R
Cher D 2442

Department of the Interior
Commission to the Five Civilized Tribes,
Muskegee, T. T., June 30, 1906.

In the matter of the application of JAMES HULLICK, ET AL.,
for enrollment as citizens of the Cherokee Nation.

James Starr, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name? A James Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

- Q Are there any other persons for whom you desire to make appli-
cation for enrollment?
A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

Writer, page 821, # 2561, Tahlequah District;
Susan Writer, page 821, # 2562, Tahlequah District;

Subscribed and sworn to before me this August 12, 1906.

Notary Public,

R.
Cher. D-2067.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 14, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of BIG RIDER as a citizen by blood of the Cherokee Nation.

SKILLY VANN, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: Your name is Skilly Vann, you are forty-six years of age and your post office address is Peggs, Indian Territory?

A Yes sir.

Q You are a recognized citizen by blood of the Cherokee Nation?

A Yes sir.

Q Do you know Big Rider? A Yes sir.

Q Is he living? A Yes sir.

Q Is he a recognized citizen by blood of the Cherokee Nation?

A Yes sir.

Q What is his present post office address? A Peggs.

Q Does he live in Tahlequah District? A Yes sir.

Q What degree of Cherokee blood has he? A Full blood.

Q Do you know the name of his father? A No sir.

Q Do you know the name of his mother? A No sir.

Q Is his father living? A No sir.

Q Is his mother living? A No sir.

Q Was his mother a Cherokee by blood? A Yes sir.

Q Big Rider is now about fifty years of age? A Yes sir, between forty-five and fifty.

Q Did you know in what district Big Rider was residing in 1880, about twenty-two years ago? A Lived in Tahlequah District.

Q Did he ever go by any other name besides Big Rider? A No sir, not that I know of.

Q Was he ever married? A No sir.

Q Do you know in what district he was residing in 1894? A

A Tahlequah District.

Q Do you know whether he drew Cherokee Strip money in 1894? A

A Yes sir, he drew Strip money.

Q Do you know whether he drew it himself, or whether someone drew it for him.

A Could not state positively whether he drew it himself. Johnson Thompson credited him on the Strip, probably he drew it for him.

Q Does Big Rider speak the Cherokee language? A Yes sir.

Q Do you know an old woman, who would be now about seventy years old, named Susan Rider? A No sir.

W. W. HASTINGS, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A W. W. Hastings.

Q State your age? A Thirty-five.

Q What is your post office address? A Tahlequah.

Q You are a recognized citizen by blood of the Cherokee Nation?

A Yes sir.

Q Do you know Big Rider? A Yes sir.

Q Is he a Cherokee citizen by blood? A Yes sir, full blood.

Q How long have you known him? A I have known him ten or twelve years. He was not living in this district at that time. I have known him since before that. I used to know him at Convention times. He was a full blood Indian, and he used to cook for us, and I used to see him occasionally out there. A He always went by the name of

Rider. He was named after some of our prominent people. He has lived about from place to place.

Q What was his full name? A Boudinot, after a prominent man by the name of Cornelius Boudinot. He was a rather large man, and we used to call him Big Cornelius.

Q He has always been recognized as a citizen of the Cherokee Nation? A Yes sir.

Q You know of no reason why his name should have been left off the rolls of the Cherokee Nation?

A No, I suppose it is on there by some name. Henry have some Cherokee name that I don't know.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 25th day of August, 1902.

John Hession
Notary Public.

R.
Cher. D-2067.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., September 2, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application for the enrollment of JOHN RIDER and others as citizens by blood of the Cherokee Nation.

JOHN RIDER, being first duly sworn, and being examined, testified as follows, through official interpreter S. R. Walkingstick:

BY COMMISSION: What is your name? A John Rider.
Q How old are you? A Forty-seven.
Q What is your post office address? A Peggs.
Q Do you reside in ~~Bellevue~~ Tahlequah District? A Yes sir.
Q You are a Cherokee by blood, are you? A Yes sir.
Q What degree of Cherokee blood do you claim? A I am a full blood.
Q What is the name of your father? A Ahldeene Chusurwable.
Q Is your father living? A He is dead.
Q He was a Cherokee by blood, was he? A Yes sir, my mother was a Cherokee.
Q Did they both reside in Tahlequah District? A Yes sir, they died just a little ways from this town.
Q What was the name of your mother? A A Ah nu yaw he Chu sur wah lo.
Q She is dead, is she? A Yes sir, she is dead.
Q How long have you resided in the Cherokee Nation? A All my life.
Q Were you ever known by any other name besides John Rider?
A No sir, I am not known by any other name. They always put it down under the name I have given.
Q What is your Cherokee name? A Rider.
Q Do you remember when the census was taken in 1880? A Yes sir.
Q Do you remember enrolling in that way? A Yes sir, I remember the time.
Q Do you remember under what name you enrolled? A No, I don't remember as to enrolling. That is, I don't remember much about that.
Q Were you ever married, or lived with a woman named Susan?
A Yes, there was a woman by the name of Susan stayed with along about that time, but she was not any kin to me. She was just staying there cooking for us. My wife's name was Katie.
Q Is your wife Katie living? A No sir.
Q How long has she been dead? A She has been dead, it has been quite a while, about fifteen years, I guess, probably longer.
Q Is this woman Susan living? A No sir, she is dead too.
Q Which died first, your wife or this Susan? A My wife died first.
Q Did this woman Susan continue to live in your family until she died? A Yes sir, when my wife died, then in just about a week afterwards this Susan took sick, and she died in a very short time.
Q Do you remember whether the 1880 roll was made after your wife Katie died or not? A She died, I think, just about ~~when~~ the census takers finished their work.

There appears upon the roll of 1880 for Tahlequah District a Writer, appearing upon said roll with a Susan Writer, concerning whom no information has been gathered. There is a name placed upon the delinquent list of 1880 roll by one of the field parties, to the effect that the name Writer could be John Rider. From the evidence taken today and heretofore, the enrollment of this Writer, Page 821, #2661, Tahlequah District, is hereby accepted as that of John Rider.

Q Did you draw Cherokee Strip money in 1894? A Yes sir.
Q Do you remember under what name you drew the money?

A No, I don't remember. They never called my name when I went to draw my money. They just handed it to me when I went up there.

Q Who drew the money for you, or did you draw it yourself?

A Yes sir, I drew the money myself.

Q Do you remember how much it was you drew at that payment.

A No, I don't remember the amount, but I am told it was something over a hundred dollars. Something like 110 or 115 dollars. That is what they told me.

Q Can you count money? A No, I can't count money very well.

Q It is a matter of record that this payment was \$267.70. You remember the circumstances of the Cherokee Strip payment, do you not?

A Yes sir.

Q You are sure that you participated in the distribution of that money? A Yes sir, I know that.

Q Have you been outside of the Cherokee Nation for any purpose within the last four years? A No sir.

Q Are you married? A Yes sir.

Q What is the name of your present wife? A Her name is De tah ke yar ske. She is a daughter of September Mose.

Q Your wife is living, is she? A Yes sir. I have not been married to her very long.

Q Do you know whether or not your wife has been enrolled by this Commission? A No sir, I don't know. We have not been married hardly a month.

Q Your wife is a Cherokee by blood, is she? A Yes sir, she is a full blood.

Q How old is she, do you know? A She is hardly twenty, I think, about twenty.

Q What is the name of her father? A September Mose.

Q Is he living? A Yes sir.

Q What is the name of the mother of your wife? A Lizzie Mose.

Q Is she living? A Yes sir.

Q September and Lizzie Mose are both Cherokees by blood, are they?

A Yes sir, they are full bloods.

Q Do they reside in Tahlequah District? A Yes sir.

Q Has your wife got a sister named Lucy? A Yes sir, the oldest child.

Q Has she a brother named Cheektute? A Yes sir.

Q Do you know your wife's English name? A No sir, I don't.

Q Is Lizzie Mose dead? A She is living. They are all living. I was there about two months ago, and she was living then. I was only there a day, but I thought I saw her there, I don't know.

The family of September Mose and Lizzie Mose has been enrolled by the Commission on straight Cherokee card, Field No. 9094, and reference is hereby made to that card. There appears enrolled with that family a Jennie Mose, but the applicant not being able to tell the English name of his wife, it cannot be ascertained for certain whether or not this Jennie is the wife of John Rider.

Q Has your wife a younger brother? A Yes sir.

Q What is his name? A I don't know his name.

John Rider has heretofore been listed for enrollment by the Commission under the name of Big Rider. It is hereby ordered that the name be corrected, and that he be enrolled under his correct name of John Rider.

It is shown upon examination of the 1896 census roll of citizens of the Cherokee Nation on file in the Executive Office of the Cherokee Nation, that the name of Big Rider is duly identified thereon, Page 103, #2776, Tahlequah District, native Cherokee, age 51.

The 1896 census roll in possession of this Commission should be further examined to ascertain the disposition that has been made of the enrollment of this Brg Rider, his name having been checked off of said roll.

- Q Have you any children? A Yes sir, one child.
Q How old is that child? A Seven.
Q What is the name of the child? A Nancy Rider.
Q What is the name of the mother of Nancy Rider? A Katie was the mother of that child.
Q You said a moment ago in your testimony that Katie died about fifteen years ago? She would not be the mother of this child.
A The child was an infant when its mother died, about a week old.
Q Is this child Nancy living now? A Yes sir.
Q With whom does this child live at present?
A She is living with me.
Q Has she lived with you all the time? A Yes sir.
Q If your wife Katie died some fifteen years ago, she could not be the mother of this child seven years old? A Katie was the mother of the child all right.
Q Then you were mistaken when you stated that your wife Katie had been dead fifteen years? (No response)
Q Was this child living with you in 1896? A Yes sir.
Q Do you remember whether you enrolled the child with you or not?
A Yes sir.
Q Was Katie ever married before you married her? A No sir.
Q What was the name of her father? A Her father's name was Oolawnassteesky.
Q Was he a full blood Cherokee? A Yes sir.
Q Was he a very old man when he died? A Yes sir.
Q Which died first, your wife's father or mother? A Her father died last.
Q Do you think Katie's mother has been dead too long to be on the roll of 1880? A I think so.
Q In what district did Katie's father live? A Saline.
Q Did he ever live in Delaware District? A No sir, never lived in Delaware. He lived right close to the line, though, in Saline.

It is shown upon examination of the copy of the 1880 authenticated roll of citizens of the Cherokee nation formerly in possession of the representative of the Cherokee Nation, that there is identified upon said roll, Page 54, #1905, one Goolawnahsteesky, Delaware District, native Cherokee, age 70.

The name of applicant's deceased wife cannot be identified upon any roll in possession of this Commission.

- Q When you drew Cherokee Strip money in 1894, was your wife living at that time? A Yes sir, she was living.
Q Did you draw the money for her? A Yes sir.
Q Was this child living at that time? A It was living. It was only about a week old then.
Q Did you draw money for this child Nancy? A Yes sir.

The name of applicant's child Nancy cannot be identified on the 1896 census roll of citizens of the Cherokee Nation.

- Q Did your child Nancy ever go by any other name besides Nancy Rider?
A No sir.
Q What was the name of the mother of your former wife Katie?
A I have forgotten.
Q What was your former wife's Cherokee name? A Katie was the only name I knew for her. I can't think of her mother's name though.
Q Did you know a Nancy Oolawnahsteesky? A Yes sir.
Q Who was that? (No answer)
Q Do you know Somesta Oolawnahsteesky? A I think that was the name of Oolawnahsteesky's wife.

Q This Somesta appears here with Oolawnahatesky and Nancy Oolawnahatesky. Did you know that family? A Yes sir, that was my former wife's family.

Q Did your former wife, Katie, have any brothers and sisters?

A Yes, she had one brother and several sisters.

Q Do you remember their names? A No sir, I don't remember their names. It has been quite a while since I saw them.

The family of Oolawnahatesky just referred to in the testimony is identified upon the 1880 authenticated roll of citizens of the Cherokee Nation for Tahlequah District.

Q Did you and your wife Katie live together continuously until the time of her death? A Yes sir.

Q Did you ever live in any other district besides Tahlequah?

A No sir.

Q In what family did you live before you married your last wife?

A I was staying with a Makie Oolstuh.

Q Do you know Joe Oolawnahatesky? A No sir.

Q Who did your child live with besides you? A She lived with her mother's people up in Saline until I went and got her. She has been with me ever since then.

Q How long has it been since you went and got her? A About a year.

Q Does this child speak the English language at all? A No, not much, but she goes to school.

Q Does she speak the Cherokee language? A Yes sir, she talks Cherokee altogether.

Q Did she ever go to the Orphan Asylum to school?

A No sir, she is going to the public school near where we live.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 10th day of September, 1902.

John P. Ross
Notary Public.

2067

IN RE
THE DEATH OF

John C. ...

a citizen of the

State of ... Nation

Approved

APR 21 1905 190

[Signature]
Commissioner

APR 21 1905

DEPARTMENT OF THE INTERIOR, COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Ten Rider
(Here insert name of deceased.)
 a citizen of the Cherokee
(Here insert name of postoffice.) Nation, who formerly resided at or near
Cherokee Ind. Ter., and died on the 10th day of
May 1904

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,

John Rider DISTRICT.
 I, John Rider, on oath state that I am
 years of age and a citizen, by Cherokee of the Cherokee Nation;
 that my postoffice address is Cherokee Ind. Ter.; that I am
Step Daughter of John Rider
(State relationship as the father, or mother, or child, etc.) (Here insert name of deceased.)
 who was a citizen, by Cherokee of the Cherokee Nation;
 and that said John Rider died on the 10th day of
May 1904.

WITNESSES TO MARK:

(Must be Two Witnesses.) { Mollie E. Hard
Belle D. Dineen

Subscribed and sworn to before me this 3rd day of

John S. Remson 1905
 Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,

John Rider DISTRICT.
 I, Prosser P. Field, on oath state that I am 46
 years of age, and a citizen by Cherokee of the Cherokee Nation;
 that my postoffice address is Cherokee Ind. Ter.;
 that I was personally acquainted with John Rider
(Here insert name of deceased.)
 who was a citizen, by Cherokee of the Cherokee Nation;
 and that said John Rider died on the 10th day of
May 1904.

WITNESSES TO MARK:

(Must be Two Witnesses.) {

Subscribed and sworn to before me this

30th day of March 1905

John S. Remson
 Notary Public.

Cherokee D 1067

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

A. G. M. Jr.
8/16

In the matter of the application for the enrollment of John Rider and his minor child, Nancy Rider, as citizens by blood of the Cherokee Nation.

---:---

DECISION.

The record herein shows that on June 30, 1902, Emmet Starr appeared before this Commission at Muskogee, Indian Territory, and made application for the enrollment of "-----Writer", and "Susan Writer, their families and their descendants", as citizens of the Cherokee Nation. Further proceedings in the matter of said application were had at Peggs, Indian Territory, June 25, 1902, and at Tahlequah, Indian Territory, August 14, and September 2, 1902.

The evidence herein shows that the names set out in said application should be John and Susan Rider, and that the said John Rider has a daughter, Nancy Rider, who at the time said application was filed was about seven years old.

The evidence further shows that the said John Rider is a Cherokee by blood, has continuously lived in the Cherokee Nation all his life, and is identified on the Cherokee authenticated tribal roll of 1880, under the name of "-----Writer", and on the Cherokee census roll of 1896 under the name of "Big Rider." The minor applicant herein, Nancy Rider, has continuously lived in the Cherokee Nation since birth.

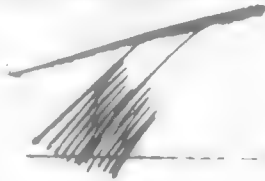
The evidence further shows that the said Susan Rider died prior to September 1, 1902.

Section twenty-five of an Act of Congress approved July 1, 1902 (32 Stat. 716), provides:

"The roll of citizens of the Cherokee Nation shall be made as of September first, nineteen hundred and two, and the names of all persons then living and entitled to enrollment on that date shall be placed on said roll by the Commission to the Five Civilized Tribes."

✓ It is, therefore, the order of this Commission that
✓ Joseph and Nancy Miller shall be enrolled as citizens by blood
of the Cherokee Nation, in accordance with the provisions of sec-
tion twenty-one of the Act of Congress approved June 28, 1898 (30
Stat., 495), and it is so ordered. And it is further ordered that
the application for the enrollment of Susan Rider be, and she same
is, hereby dismissed, in accordance with the provisions of Section
twenty-five of the Act of Congress above noted.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman



Commissioner



Commissioner

Muskogee, Indian Territory.

MAY 13 1905

Cherokee D-2066.

Muskogee, Indian Territory, March 24th, 1903.

September Mose,

Vauhillaun, Indian Territory.

Dear Sir:

When you appear before the Commission to select your allotment you are requested to testify in the matter of the application for the enrollment of John Rider.

The Commission desires to know whether your daughter Jennie is now the wife of said John Rider and whether they have children.

Respectfully,

Chairman.

COPY

Cherokee
D-2067

Muskogee, Indian Territory, November 4, 1904.

John Rider,

Peggs, Indian Territory.

In the matter of the application for the enrollment of yourself and your minor child, Nancy Rider, you are advised that before the record in this case will be complete it will be necessary that the Commission be furnished with an affidavit showing the birth of your said minor child.

There is herewith inclosed a blank form of birth affidavit which you are requested to have properly executed and return to the Commission. You should give this matter your immediate attention.

Respectfully,

Encl. B-47

SIGNED: *Tame Dixby*
Chairman.

COPY

Cherokee 7-2067.

Muskogee, Indian Territory, May 13, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 10, 1905, granting the application for the enrollment of John and Nancy Rider, and dismissing the application for the enrollment of Susan Rider, as citizens by blood of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

WED. *Tams Dixby.*
Chairman.

Incl. 8-17

COPY

Cherokee D-2057.

Muskogee, Indian Territory, June 5, 1905.

Mose O'field,

Eucha, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of May 24, 1905, relative to the enrollment of John Rider as a citizen of the Cherokee nation.

In reply you are advised that on May 13, 1905, the Commission rendered its decision granting, among others, the application for the enrollment of one John Rider as a citizen by blood of the Cherokee nation.

You are further advised that an allotment selection cannot be made for the said John Rider until his name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior.

Respectfully,

(SIGNED) *I. B. Needles*
Commissioner in Charge

Cher 10904

Charlie Martin

Trans. from D2476

Cher 10904

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-cOo-

In the matter of the application for the enrollment
as a citizen by blood of the Cherokee Nation of:--
CHARLIE MARTIN, - - -, Cherokee D-2476.

-cOo-

Note: Regarding Agent Thompson, Merger,
Charlotte Martin, born 10, 4 18, O. P. P. Baltimore District

FILED
AUG 26 1902

D 5412

P
Cher D 2476

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation.

JAMES STARR, being duly sworn and examined by the Commission,
testified as follows:

Q What is your name? A James Starr.
Q What is your age? A Thirty one years.
Q What is your post office address? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Q Are there any other persons for whom you desire to make appli-
cation for enrollment?

A I desire to apply for the following named persons on the 1880
Cherokee roll, their families and their descendants:

Charlie Martin, page 10, # 18, O. R., Delaware District;
Note: "Residing with Thompson Fields".

E. O. Bagwell, on oath states that as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
this is an accurate transcript of his stenographic notes
thereof.

E. O. Bagwell

Subscribed and sworn to before me this August 18, 1902.

B. C. Jones
Notary Public.

FILED
SEP 29 1966
FBI - MEMPHIS
COMMUNICATIONS SECTION

TO DIRECTOR, FBI (100-440890)
FROM SAC, MEMPHIS (100-100000) (P)
SUBJECT: [Illegible]
[Illegible text follows, including a signature and date]

Cherokee D 2476.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., August 29, 1904.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of CHARLIE MARTIN as a citizen by blood of the Cherokee Nation.

APPEARANCES:

Applicant appears in person.

No appearance on behalf of the Cherokee Nation.

CHARLIE MARTIN, being first duly sworn, testified as follows:

By the Commission:

Q What is your name? A Charlie Martin.

Q How old are you? A I suppose 31.

Q What is your postoffice address? A Vinita.

Q What district do you live in? A Delaware.

Q You claim to be a citizen by blood of the Cherokee Nation, do you? A Yes, sir.

Q What is the name of your father? A Joe Martin.

Q Is he living? A No, sir.

Q Was he a citizen by blood of the Cherokee Nation? A No, sir, he was a white man.

Q What is the name of your mother? A Emeline Martin.

Q Is she living? A No, sir.

Q How long has she been dead? A Ever since I have been, I can't recollect; my parents both died when I was small.

Q Before you could remember? A Yes, sir.

Q Was your mother a citizen by blood of the Cherokee Nation?

A Yes, sir.

Q Since the death of your parents where and with whom have you lived? A With Thompson Fields.

Q Where? A Vinita.

Q In the Cherokee Nation? A Yes, sir.

Q Have you lived at Vinita from the time you could remember until now? A Yes, sir, until the last five years, I haven't been at Vinita, but I haven't been out of the territory; I have been right around Collinsville and Bartlesville.

Q In the Cherokee Nation? A Yes, sir.

Q What relation is Thompson Fields to you? A My uncle.

Q What is the name of his wife? A Caroline.

Q Was Caroline his wife at the time you first went to live with him? A Yes, sir.

Q Have they any children? A Yes, sir.

Q What are their names? A Johnson Fields, Victoria Fields and Matthew Fields.

Q Have you ever been enrolled on any of the tribal rolls of the Cherokee Nation? A Yes, sir.

Q What rolls? A You are too hard for me now, I am on three of them.

Q Were you on the 1880 authenticated Cherokee roll? A Yes, sir.

Q Are you on the 1896 Cherokee census roll, made some eight years ago? A No, sir, I don't think I am.

Q Where were you living at the time that roll was made? A I was supposed to be living at Vinita, but I reckon I was at Collinsville, or down there on the river, working for this fellow Harris.

- Q Have you ever lived outside outside of the Cherokee Nation?
A No, sir.
Q Have you ever been outside to stay any length of time? A No, sir.
Q Did you draw the Cherokee strip payment money? A Yes, sir.
Q How much did you draw at that time? A \$265.70
Q Where were you living then? A At Vinita.
Q With Thompson Fields? A Yes, sir.
Q Then your name would appear with his family on that roll? A No, sir, not with his family, right opposite it; they never enrolled us with the orphan children, for the reason we never went to the orphan asylum, where you find his family you will find mine and my sister's both right there.
Q You say you never attended the Cherokee Orphan Asylum? A No, sir.
Q Did you ever draw any other money besides the Cherokee strip payment? A Yes, sir.
Q What other? A I don't know in what year, but it was ten dollars and something.
Q Is that the only other time you drew money? A That is the only two times I drew it; my uncle drew for me once before that.
Q All this time have you lived in ~~scowesscoowee~~ district?--A--Yes, sir, Cherokee Nation? A No, sir, Delaware.
Q You lived in Delaware until five years ago? A Yes, sir.
Q Then you went out about Collinsville? A Yes, sir.

Commission: It appears that this applicant has heretofore been included in the general application made under the direction of this Commission on June 30, 1908, and that his name is identified on the 1880 Cherokee authenticated roll as follows:

1880 roll, age 10, No. 18, Orphan Roll, Delaware district, note: "Residing with Thompson fields."

1885 Cherokee tribal rolls examined and applicant's name not found.

1886 Cherokee tribal roll examined and applicant's name not found.

1890 Cherokee tribal roll examined and in Delaware district, page 343, is found in the family of Thompson Fields, the name Charlie Martin, "Orphan," with the note: "Money paid to Thompson Fields."

1894 Cherokee strip payment roll examined and in Delaware District, page 434, opposite no. 1977, is found the name Chas. Martin, with the note: "Money paid to L. W. Buffington."

- Q Have you any family? A No, sir, single man.
Q Do you own any property in the Cherokee Nation? A No, sir.
Q Do you own any property outside of the Cherokee Nation? A No, sir.

CAROLINE FIELDS, being first duly sworn, testified as follows:

By the Commission:

- Q What is your name? A Caroline Fields.
Q How old are you? A 34.
Q What is your postoffice address? A Vinita.

- Q You are a citizen by blood of the Cherokee Nation? A Yes, sir.
Q Do you know the applicant in this case, Charlie Martin? A Yes, sir.
Q What relation is she to you? A He is my husband's sister's child, no blood kin.
Q Where was he born, if you know? A On Big Creek, Cherokee Nation.
Q What are the names of his parents? A Joe Martin and Maline Martin.
Q How long have they been dead? A She has been dead about 31 years and he has been dead about 30 years, I guess; not that long; I don't know exactly how long he has been dead.
Q Since the death of his parents where has this boy lived? A With me and his uncle.
Q In what part of the Cherokee Nation have you lived? A Out on Cowskin prairie a while and then at Vinita.
Q In Delaware district? A Yes, sir.
Q Your husband was Thompson Fields? A Yes, sir.
Q Has this boy ever lived outside of the Cherokee Nation? A No, sir.
Q Do you know why his name doesn't appear upon the 1896 census roll? A No, I don't; I think he was working for Bob Fittle then, I don't know; he was on the river when they were taking the roll.
Q He wasn't at your house? A No, sir, after his uncle died he went to work for himself.
Q About how old is he now? A He is 31 years old.
Q From the time of his parents' death, how long did this boy continue to live with you and your husband? A His mother died when he was eight days old, and we got a woman to let him nurse until he was a year old, and then I took him.
Q Then he lived with you? A Yes, sir, until his uncle died, and then he went to work for himself.
Q How long has that been? A About 14 years.
Q He has been away from your house 14 years? A Yes, sir, but he has been there often and on; he would hire out and work.
Q Do you know where he has been during this 14 years? A He would just hire out around there in town the most of the time.
Q All the time in the Cherokee Nation? A Yes, sir.

Commission: It appears that Caroline Fields, with whom the applicant has lived for the most of his life, has been listed for enrollment on Cherokee straight card No. 3123 and appears on the final roll of citizens by blood of the Cherokee Nation, approved by the Secretary of the Interior, opposite No. 7866.

0-0-0-0-0-0-0-0

H. M. Vance, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this the 30th day of September, 1904.



Notary Public.

Cherokee D-2476.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-ooo-

In the matter of the application for the enrollment of
Charlie Martin, as a citizen by blood of the Cherokee Nation.

---: D E C I S I O N :---

It appears from the record herein that on June 30, 1902, Emmet Starr appeared before this Commission, at Muskogee, Indian Territory, and made application for the enrollment of Charlie Martin, as a citizen by blood of the Cherokee Nation. Additional proceedings were had in the matter of said application, at Muskogee, Indian Territory, on August 29, 1904.

It appears from the evidence in this case that the applicant is a Cherokee by blood and is identified upon the 1880 Authenticated Cherokee Tribal Roll, and also upon the 1894 Cherokee Leased District Payment Roll.

It further appears that said applicant has resided continuously in the Cherokee Nation from 1880 up to and including September 1, 1902.

It is therefore the opinion of this Commission that
✓ Charlie Martin should be enrolled as a citizen by blood of the Cherokee Nation, under the provisions of Section Twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

MAY 13 1905

COPY.

Cherokee D-2476.

Muskogee, Indian Territory, October 1, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory,

Dear Sir:

There is herewith inclosed a copy of the supplemental testimony taken at Muskogee, Indian Territory on August 29, 1904, in the matter of the application for the enrollment of Charlie Martin as a citizen by blood of the Cherokee Nation.

Respectfully,

Enc. K-4.

(SIGNED)

Tams Bixby
Chairman.

COPY.

Cherokee D-2476.

Muskogee, Indian Territory, May 13, 1908.

W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 13, 1908, granting the application for the enrollment of Charlie Martin as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Incl. L-45.

Jame Bixby.
Chairman.

COPY.

Cherokee D-2476.

Muskogee, Indian Territory, June 2, 1905.

Charlie Martin,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 13, 1905, granting the application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

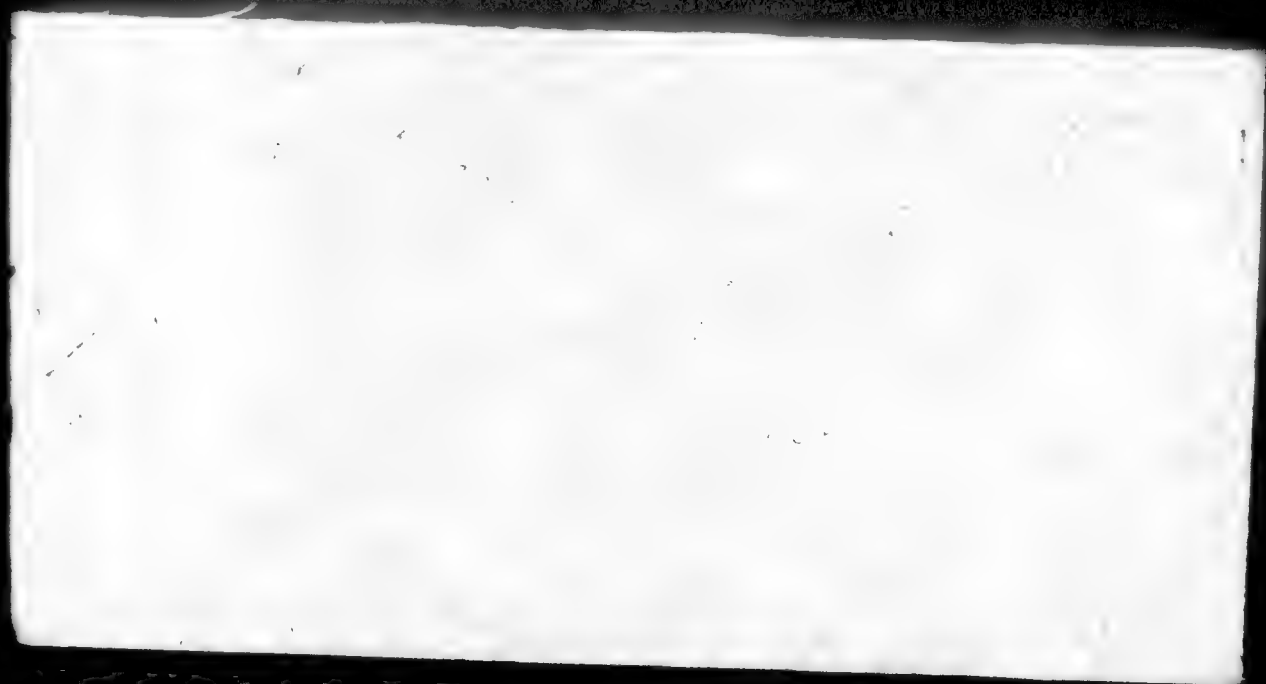
You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-27

I. B. Needles.
Commissioner in Charge.





Department of the Interior

Office of the Inspector

MUSKOCÉE, IND. TER.



*Spencer Thompson, Muskocée
Ind. Ter.
Muskocée, Ind. Ter.*

opened through Matsari
By Charles H. Martin
This does not certify
Oct 12 1895

Department of the Interior
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



IND. TER. MUSEUM.

Cher 10905

Annie Johnson

Trans. from D232

Cher 10905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Annie Johnson, et al., as citizens by blood of the Cherokee Nation.

Cherokee D 232.

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Q What is your name? John H. Johnson.
 Q What is your age? A. Forty-three next November.
 Q What is your post-office? McLain.
 Q Are you a recognized citizen of the Cherokee Nation? A. Yes, sir.
 Q By Blood. A. Yes No, sir, by adoption.
 Q For whom do you apply? A. Myself, wife and two children.
 Q What district do you live in? A. Canadian.
 Q How long have you been a resident of the Cherokee Nation?
 A. About 13 years.
 Q Your father and mother are non-citizens? A. Yes, sir.
 Q What is the name of your wife? A. Annie Johnson.
 Q What is her age? A. She is twenty-nix years old.
 Q When were you married to her? A. In 1890.
 Q What was her name before you married her? A. Annie Milligan.
 Q What is her father's name? A. Isaac Milligan.
 Q Is he living? A. No, sir he is dead.
 Q When did he die? A. He died in 1892, I think.
 Q Was he a white man or an Indian? A. He was a white man.
 Q What is your wife's mother's name? A. Susan J. Milligan.
 Q Is she living? A. No, sir.
 Q She is an Indian? A. Yes, sir.
 Q When did she die? A. If I am not mistaken in 1896.
 Q What are the names of these children? A. John Anna Johnson.
 Q How old is John Anna? A. She was born December 10th, 1896.
 Q She is four years old then? A. Yes, sir.
 Q What is the name of the next one? A. Gracie Milligan Johnson.
 Q What is her age? A. Born October 23rd, 1899.
 Q Are these children living and living with you? A. Yes, sir.
 (Applicant identified on the roll of 1896 page 89 No. 133 as John J. Johnson, Canadian District)
 (Applicant's wife identified on the roll of 1896, page 37, No. 1015 as Annie Johnson, Canadian District)
 Q Have you any proof of birth as to these younger children?
 A. Mrs. Neal is here. She was with our first one that was born.
 Q Is your wife here? A. No, sir she is at home.

(The applicant presents a marriage license and certificate issued by the authorities of the Cherokee Nation, and the certificate certifies that he was married according to the laws of the Cherokee Nation on March the 27th, 1890, to Miss Annie Milligan, a citizen of the Cherokee Nation. The certificate and license are in due form and are filed with his application)

The name of John H. Johnson appears on the census roll of 1896. He avers that he was married to Annie Milligan a Cherokee Citizen by blood in the year 1890, and the name of his wife Annie appears on the census roll of 1896; he avers that she was admitted to citizenship by the regularly constituted authorities of the Cherokee Nation in 1887, but presents no certificate of admission. He presents satisfactory certificate of marriage. He avers that as the result of said marriage he has two children, John Anna and Gracie Milligan Johnson, whose names do not appear on the census rolls of 1896, they having been born since said census rolls were compiled.

Final judgment in the matter of the application of John H. Johnson, his wife and children, will be suspended, and their names will be placed on a doubtful card, for the reason that there is no certificate of admission of his wife Annie to citizenship or any proof of birth of his said children.

2.

The undersigned being sworn states that as stenographer to the Commission of Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof

A. R. Brown

Subscribed and sworn to before
me this 11th day of September 1900

C. M. H. H. H.

COMMISSIONER.

~~10905~~ 10905

B-

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
AUG 26 1900

[Signature]

ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date

AUG 30 1900

1900.

Name

District

CANADIAN.

Year 1896

Page 89

No. 123

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

CANADIAN.

Year 1896

Page 30

No. 125

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

5 John (Lund) Simon
4 Grace M.

Dist.

Year

Page

No.

Age 4

Dist.

Year

Page

No.

Age 1

Dist.

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No.

Age

1st 1896 roll as John J. Simon

2 and 4 Affidavits of birth to be supplied

Certificate or copy of the act admitting
Annie Milligan to be supplied.

1232

IN RE

Application for Enrollment of
INFANT CHILD

John Anna Johnson.
as a citizen of the

Cherokee

Nation.

Approved, *[Signature]* 1906

[Signature]
Commissioner.

ON TO THE CIVILIZED TRIBES.

FILED
DEC. 12 1906

MAN

Doubtful card # 232.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of John Anna Johnson, born on the 10th day of December, 1896
Here insert name of child
Name of Father: John H. Johnson, a citizen of the United States. XXXX
Name of Mother: Annie Johnson, a citizen of the Cherokee Nation.
Post-office, McLain, Indian Territory.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, |
Northern INDIAN TERRITORY District. |

I, Annie Johnson, on oath state that I am 26
years of age and a citizen, by blood, of the Cherokee Nation;
that I am the lawful wife of John H. Johnson, who is a citizen, by
Adoption, of the Cherokee Nation; that a female child was
(male or female)
born to me on the 10th day of December, 1896; that said child has been
named John Anna Johnson, and is now living.

WITNESSES TO MARK

(Must be Two
Witnesses.)

Subscribed and sworn to before me this 19th day of September, 1900.

Joshua Ross

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, |
Northern INDIAN TERRITORY District. |

I, Polly Neal, a Midwife, on oath state that I
attended on Mrs. Annie Johnson, wife of John H. Johnson,
on the 10th day of December, 1896; that there was born to her on
said date a female child; that said child is now living and is said to have been
(male or female)
named John Anna Johnson.

WITNESSES TO MARK

(Must be Two
Witnesses.)

Subscribed and sworn to before me this 19th day of September, 1900.

Joshua Ross

NOTARY PUBLIC

Cher. 10905

20

IN RE

Application for Enrollment of

INFANT CHILD

Gracie M. Johnson,

as a citizen of the

Cherokee.

Nation.

Approved,

1901

[Signature]
Commissioner.

Det. 1

~~Respectful card for~~

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Gracie M. Johnson. , born on the 23rd. day of October , 1899
Here insert name of child
Name of Father, John H. Johnson. , a citizen of the United States. Nation.
Name of Mother Annie Johnson. , a citizen of the Cherokee Nation.
Post-office, McLain, Ind. Territory.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, |
Northern INDIAN TERRITORY District. |

I, Annie Johnson , on oath state that I am 26
years of age and a citizen, by blood , of the Cherokee Nation;
that I am the lawful wife of John H. Johnson , who is a citizen, by
Marriage , of the Cherokee Nation; that a female child was
(male or female)
born to me on the 23rd day of October 1899 ; that said child has been
named Gracie M. Johnson , and is now living.

WITNESSED TO MARK

(Must be Two
Witnesses)

Subscribed and sworn to before me this 17th day of September 1900.

John H. Johnson

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, |
Northern INDIAN TERRITORY District. |

I, Polly Neal , a neighbor , on oath state that I
visited
attended on Mrs. Annie Johnson , wife of John H. Johnson
born after 23rd day of October , 1899 ; that there was born to her on
said date a female child; that said child is now living and is said to have been
(male or female)
named Gracie M. Johnson.

WITNESSED TO MARK

(Must be Two
Witnesses)

Subscribed and sworn to before me this 17th day of September 1900.

Polly Neal
1 mar 12

John H. Johnson
J. H. Johnson

John H. Johnson

NOTARY PUBLIC

SUPPLEMENTAL TESTIMONY IN CASE D. #232.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 12th, 1900.

IN THE MATTER OF THE APPLICATION OF John H. Johnson for the enrollment of himself, wife and children as citizens of the Cherokee Nation; and said Johnson, being sworn and examined by Commissioner, T. B. Needles, testified as follows:

- Q What is your name? A John H. Johnson.
Q How old are you? A Forty four.
Q What is your Postoffice address? A McLain.
Q What district do you live in? A Canadian.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A By intermarriage.
Q Whom do you desire to enroll? A Myself, wife and children.
Q What is your wife's name? A Annie Milligan was her name

Com'r. T. B. Needles: The applicant presents a certificate of admission to Cherokee citizenship issued from the office of the Commission on Citizenship, dated, Tahlequah, signed by J. T. Adair, March 31st, 1887; approved and endorsed by D. W. Bushyhead, Principal Chief of the Cherokee Nation, under the seal of the Nation, certifying that one, Annie Milligan was admitted to citizenship on the 31st day of March, 1887.

Is the Annie Milligan mentioned in this certificate the identical person you now claim to be your wife? A Yes sir.

- Q Is she living? A Yes sir.
Q How long has she lived in the Cherokee Nation? A Fourteen years.
Q Has she been living here continuously since she came here?
A Yes sir.
Q Have you been living with her continuously since you married her?
A Yes sir.

Com'r. T. B. Needles: The applicant also presents satisfactory proof of birth as to the child, John Anna Johnson, whose name does not appear upon the census roll of 1896.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

T. B. Needles
Subscribed and sworn to before me this 14th day of December, 1900.

T. B. Needles
COMMISSIONER.

"R"

D 252

1902

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 24, 1902.

In the matter of the application of John H. Johnson for the enrollment of himself, wife and children, as citizens of the Cherokee Nation:

Appearances:

Applicant in person;
W. W. Hastings for the Cherokee Nation.

JOHN H. JOHNSON, being sworn and examined, testified as follows:

Q What is your name ? A John H. Johnson.
Q What is your post office address ? A McLain, Indian Territory.
Q Are you an applicant before this commission for enrollment as a Cherokee citizen ? A Yes sir.
Q Is there any statement you desire to make relative to your enrollment ? A Yes sir. I made an attempt, and supposed I did enroll. I went to Fort Gibson to enroll, probably the first time when you folks were at Fort Gibson. I carried my marriage license with me, but failed to carry a letter of re-instatement. I went after that to Tahlequah when you were there last winter, and carried a letter of re-instatement from Mr. and Mrs. Milligan; they are my wife's brother and sister. They are in your possession. Caleb here registered at the same time on the same letter of re-instatement. That is how come the entanglement. I had to have a letter of re-instatement and produced the letter. Caleb here registered on the same letter for him and the children, and nothing was said; but that trip to Fort Gibson caused the trouble.

The Commission: Applicants have a Cherokee marriage license; also a letter of re-admission, which have been duly filed as stated by him.

Examined by Mr. Hastings:

Q Were you ever married before ? A Yes sir.
Q One time ? A Yes sir only one time. This is the second time
Q Was your first wife dead when you married your second wife ?
A No sir.
Q Were you divorced ? A Yes sir.
Q Have you got a copy of that decree of divorce ?
A Steve West a lawyer in Texas got the divorce for me.
Q When did you get it ? A Sometime before I was married.
Q Was your present wife ever married before you married her ?
A No sir.
Q You are her first husband ? A Yes sir.
Q How did she come to the Cherokee Nation ?
A She came with her father about 1880, or a little after. I am advised it was about 1880.

The Commission: It will be necessary for the applicant to file with the Commission satisfactory proof of his divorce from his former wife. You will be given fifteen days from the date hereof in which to file with the Commission the information requested.

Is there any other testimony you want to introduce in this case
A No sir I don't know of any.

The Commission: Do you submit the case for the final consideration of the Commission?

A Yes sir.

The case is also submitted by the representatives of the Cherokee Nation; and the same is closed.

E. U. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E. U. Bagwell

Subscribed and sworn to before me this February 24, 1902.



Commissioner.

Cher. 10905-0792

20

IN RE

Application for Enrollment of

INFANT CHILD

Lafayette L. Johnson

as a citizen of

Cherokee

Nation

Approved: *[Signature]* 1901

[Signature]

LETTER
COMMISSION TO THE CHIEF OF CHEROKEE

FILED

APR 22 1902

[Signature]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Lafayette Lee Johnson, born on the 18th day of April, 1902
(three years of age or less)
Name of Father: John H. Johnson, a citizen of the United States Nation.
Name of Mother: Annie Johnson, a citizen of the Cherokee Nation.
Post-office: McGuinn, S. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA.

Northern INDIAN TERRITORY, District.

I, Annie Johnson, on oath state that I am 28
years of age and a citizen, by blood, of the Cherokee Nation;
that I am the lawful wife of John H. Johnson, who is a citizen, by
of the United States Nation, that a male child was
(male or female)
born to me on the 18th day of April, 1902, that said child has been
named Lafayette Lee Johnson, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

Subscribed and sworn to before me this 18 day of April, 1902

John O. Rosson
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.

Northern INDIAN TERRITORY, District.

I, J. M. Coon, a physician, on oath state that I
attended on Mrs. Annie Johnson, wife of John H. Johnson
on the 18th day of April, 1902, that there was born to her on
said date a Male child; that said child is now living and is said to have been
(male or female)
named Lafayette Lee Johnson.

WITNESSES TO MARK

(Must be Two)
Witnesses

Subscribed and sworn to before me this 18 day of April, 1902

John O. Rosson
NOTARY PUBLIC

Susan J. Milligan

Office Commission on Citizenship
Tahlequah C N Feby 12th 1887

| Docket | Family | Names | Age | Sex | Attorney |
|--------|--------|------------------|-----|--------|-------------------------------------|
| | 1 | Susan J Milligan | 34 | Female | Webbers Falls C.N. |
| | 2 | Annie Milligan | 13 | Female | |
| | 3 | Cabel Milligan | 10 | Male | Isaac Milligan |
| 39 | 4 | Grace Milligan | 5 | Female | Applicants for Cherokee Citizenship |

Rolls 1852

V. S.
Cherokee Nation
4 Filed Feby 12th 1887

Ancestor
Polly Mayfield

Now on this the 31st day of March 1887, came the above case for final hearing (Applicant having waved the ninety days notice) and having made application pursuant to the provisions of an Act of the National Council of the Cherokee Nation approved December 8th 1886, and all the evidence being duly considered and found to be sufficient and satisfactory to the Commission, it is adjudged and determined by the Commission that, Susan Jane Milligan Annie Milligan, Cabel Milligan and Grace Milligan are Cherokees by blood, and are hereby re-admitted to all the rights privileges and immunities of a Cherokee Citizen by blood.

And a Certificate of said decision of the Commission and of re-admission was made and furnished to said parties accordingly

| | | |
|-----------------------|---|----------------------------|
| Henry Eiffert |) | J T Adair Chairman Comm |
| Asst Clk Commission) | | John E Gunter Commissioner |
| | | D. W. Lipe do |

Muskogee, I. T., June 26, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of a record which appears on page 40 of Book "A" of Commission on Citizenship of the Cherokee Nation, which is now on file in the office of the Commission.

H. M. Vance

MARRIAGE LICENSE.

Cherokee Nation, I. T.,)
Canadian District.)

To Any Person Legally Authorized to Solemnize Marriage--Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony, and to celebrate the rites and ceremonies of Marriage, between Mr. John Johnson, a citizen of the United States and Miss Annie Millegan, a citizen of the Cherokee Nation, according to the usual custom and laws of the Cherokee Nation, and you are required to return this License to me, for record, within thirty days from the celebration of such Marriage with a Certificate of the same appended thereto and signed by you.

Given under my hand and Seal of Office this the 27 day of March A. D., 1890

Seal C E Vann,
Clerk Canadian District.

Cherokee Nation, I. T.,)
Canadian District.)

I, R. H. Grinstead an ordained Minister hereby certify that on the 27th day of March, 1890, I joined in Marriage, Mr. John Johnson a citizen of the United States, and Miss Annie Millegan a citizen of the Cherokee Nation, agreeable to the authority given in the within License and the customs and laws of the Cherokee Nation.

Given under my hand this the 27 day of March A. D., 1890

R. H. Grinstead

Signers: Thos. Carlile H/J Vann G A Jennings R J Scott Thos
Blackstone Jas Seveir John Fields Irving Vore G B
Foreman Jno Markham

Recorded this 8th day of April 1890.

Chas. Van
Clk C. D.

Muskogee, I. T., June 25, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of the original Marriage License and Certificate, which is now on file in the office of the Commission.

H M Vance

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In the matter of the application for the enrollment of
Annie Johnson, et al., as citizens by blood of the Cherokee Nation.

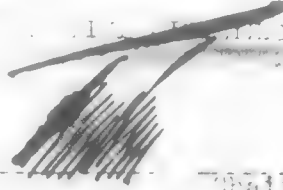
-1-

The record herein shows that on August 3, 1900, John
A. Johnson appeared before the Commission at Fort Gibson, Indian
Territory, and made application for the enrollment of his wife,
Annie Johnson, and minor children, John Anna and Racie Willigan
Johnson, as citizens by blood, and for himself as a citizen by
intermarriage, of the Cherokee Nation, but as the status of inter-
married citizens is not at this time fixed, the rights of John A.
Johnson to enrollment as a citizen of the Cherokee Nation, will
not now be passed upon. Further proceedings in the matter of said
application were had at Tahlequah, Indian Territory, December 12,
1900, and Muskogee, Indian Territory, February 24, 1902. Subse-
quently there was filed with this Commission an affidavit, which
is made a part of the record herein, showing the birth of Lafayette
Lee Johnson, on April 18, 1902.

The evidence herein shows that the principal applicant,
Annie Johnson, is a Cherokee by blood; that on March 31, 1887,
by the properly constituted authorities, said Annie Johnson, nee
Willigan, was admitted as a citizen by blood to citizenship in
the Cherokee Nation, and that since said date of admission she has
continuously lived in said Nation. The minor applicants herein
are children of the said Annie Johnson; were born since 1890,
and have continuously resided with their mother since birth.

It is, therefore, the opinion of this Commission that Annie Johnson, John L. Johnson, Isaac William Johnson and Lafayette Lee Johnson, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898, (30 Stat., 496), and it is so ordered.

WITNESSED my hand and the seal of the Commission at Muskogee, Indian Territory, this 1st day of May, 1905.



Chairman



Commissioner.

C. N. Hutchinson
Commissioner

Muskogee, Indian Territory,
this MAY 1 1905

COPY.

Cherokee D-232.

Muskogee, Indian Territory, May 13, 1906.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 13, 1906, granting, the application for the enrollment of Annie Johnson et al., as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the principal applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Incl. L-40.

(Sigs), *Tams Eixby*,
Chairman.

Cher 10906

Sarah E. High

Trans. from D491

Cher 10906

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①

a.m.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Sarah E. High, et al., as citizens by blood of the Cherokee Nation.

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Cherokee D 491.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., OCTOBER 2d, 1900.

In the matter of the application of Albert J. High for the enrollment of himself, wife and children as citizens of the Cherokee Nation; said High being sworn by Commissioner C. P. Breckinridge, testified as follows:

- Q Give me your name, please? A Albert J. High.
Q How old are you? A 48.
Q What is your post office? A Rustle Creek.
Q What is your district? A Cooweescoowee.
Q Who is it you want to have put on the roll? A My wife, two children and myself.
Q Are you Cherokee by blood? A No, sir.
Q White man? A Yes, sir.
Q Your wife Cherokee? A Yes, sir.
Q Show me your marriage license and certificate.
The applicant presents a ~~copy~~ Cherokee license issued by the Clerk of Delaware District, September 14, 1889, authorizing his marriage to Miss Sarah Fields, a Cherokee citizen. The certificate shows that they were married in accordance with said license on the same date by the Clerk of Delaware District. This is filed herewith.
Q Have you lived with your wife ever since you married her in 1889?
A Yes, sir.
Q And all the time in the Cherokee Nation? A Not all the time, I lived in Chetopa to school my children, but kept my home here all the time.
Q How old is your wife? A 43.
Q Was she born in the Cherokee Nation? A Yes, sir.
Q She lived here all her life? A Yes, sir.
Q What is the name of her father? A Thomas M. Fields.
Q Dead or alive? A He is alive.
Q Her mother's name? A I think it is Martha.
Q Dead or alive? A Alive.
Q Give me the names of your children? A Eddie C.
Q How old is that child? A 13.
Q The name of the next child? A William J.
Q How old is he? A He is seven years old.
Q Both living now, are they? A Yes, sir.
(It develops that applicant's wife has been married before.)
Q What was her other husband's name? A Monroe Wilson.
1896 enrollment; page 176, #2220, Sarah E. High, Cooweescoowee.
1896 enrollment; page 309, #523, Albert J. High, "
1896 enrollment; page 176, #2221, Eddie C. High, "
1896 enrollment; page 176, #2222, William J. High, "
Q Your wife was married before you married her? A Yes, sir.
Q Did she have a divorce from her husband? A Yes, sir.
Q Have you got a copy of the decree of that divorce? A I have got that to show.
The applicant files a postal card from the Clerk of Delaware district, dated September 17, 1889, stating that Mrs. Sarah Wilson was divorced at the last term of Court. This is filed herewith.
Q This here says that your wife's name was put down as 'Murt Mary Wilson'? A Yes, sir.
Q And that that was a nickname, that right? A Yes, sir.
Q She says that some of her neighbors put it down that way, is that right? A Yes, sir.
Q Says the census taker was going from house to house and did not come of her house? A No, sir.

Com'r Breckinridge:--The applicant applies for the enrollment of himself, his wife and two children. After considerable effort his wife has not been identified on the roll of 1880, and the latest testimony relates that she may be on that roll of Mary Wilson. She is identified on the roll of 1896, and the applicant states that

Albert J. High---2.

she has lived in the Cherokee Nation all her life. For the further consultation of the rolls, the application for her enrollment will, at present, be placed upon a doubtful card. It seems that she was married prior to her present marriage, and the applicant is required to produce a copy of her decree of divorce from her former husband. He is shown to have been married to her in accordance with Cherokee law in 1889. He is identified with her on the roll of 1896, and states that he has lived with her in the Cherokee Nation ever since their marriage. To await the further evidence indicated, the applicant will, himself, be placed upon a doubtful card as a Cherokee by intermarriage. The two children are identified on the roll of 1896. They are living at this time. To await the further identification of their mother indicated in the decision, they will, at present, be placed upon a doubtful card as Cherokees by blood.

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J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson
October,

Subscribed and sworn to before me this 5th day of ~~September~~, 1900.

[Signature]
Commissioner.

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I. T. October, 31st 1900.

In the matter of the application of Henry B. Wilson for enrollment as a Cherokee citizen. He being first duly sworn testified before the Commission as follows:

Q What is your name? A. Henry B. Wilson.
Q How old are you? 43.
Q What is your post office? A. Blue Jacket, I. T.
Q Do you live in Cooweescoowee District? A. Yes sir.
Q Who do you want to have enrolled? A. Just myself.
Q Are you a Cherokee by blood? A. No sir.
Q Let me see your marriage license and certificate.
Applicant presents a ~~marriage~~ license issued by the Clerk of Delaware District, March 24th 1880, authorizing his marriage to Sarah M. Fields, and the certificate shows that they were married by the clerk of the district. The date of the certificate is lost, but the endorsement shows that the application was recorded on the 26th of March 1880.
Q Are you on the roll of 1880? A. Yes sir. (Then you can keep this marriage license and certificate.)
Q Your wife, Sarah M. Fields, is she living? A. Yes sir.
Q Are you living with her? A. No sir.
Q When did you separate from her? A. She left me in 1881.
Q Have you ever married since she left you? A. No sir.
Q Have you continued to live in the Cherokee Nation since 1880? A. Yes sir, ever since.
Q Was you divorced from her? A. No sir.
Q How did she happen to leave you? A. Just pulled out.
Q Have you ever been denied the right to enrollment by the Cherokee authorities since? A. No sir.
Q Did you ever apply to the Dawes Commission for enrollment since? A. No sir this is the first time.

1880 roll, page 197, No 3149, Abers Wilson, Cooweescoowee, Dist.

Q Were you permitted to enroll when the census roll was taken in 1886, four years ago? A. Yes sir.
Q You have not lived with any other woman since your wife left you in 1881? A. No sir.
Q How did she leave you? A. Just left and went to her fathers and I staid where I was and am living there yet.
Q Do you care to give any reason for her leaving you? A. I have never been able to find out.
Q Has she ever married since she left you? A. Yes sir she is supposed to be married.
Q Who did she marry? A. A fellow named High.
Q Is he living? A. Yes sir.
Q Is he a white man? A. Yes sir.
Q What is his full name? A. Albert High, I think.
Q I notice on that marriage license that you have there, that there is marked "Exhibit 'C' and Exhibit 'B'" — A. I dont know anything about it.
Q Has this never been used in any legal proceeding? A. I dont think it has—I dont know.
Q Never has been used in any court proceedings that you know of? A. No sir.
Q This has always been in your possession has it not? A. Yes sir it has been in my possession a good many years.
Q And it has never been used in any Court proceedings that you know of? A. No sir I dont know anything about it.
Q I notice that part of this paper here containing license and certificate has been torn of apparently? A. It looks as if it had been torn.
Q Here is a postal card that was filed here by your former wife, addressed to Mrs. Sarah Wilson and signed by the Clerk of Delaware District and dated September, 17th 1888, stating "Your divorce was

Henry B. Wilson 2.

granted at the last term of Court, Delaware District. " There is official evidence that you are divorced from that woman. A. It is the first I ever knew about it.

Q Was no summons served on you? A. No summons, or notice in any shape or fashion.

Q Did they ever call you Monroe? A. Yes sir but it is not my name.

1880 roll, page 197, No 5150, Mary Wilson, Cooweescoowee District

Q Have you lived at home and all by yourself since your wife left you? A. No sir.

Q Who is it that you have been living with? A. Been living with Frank Boyd mostly

Q You haven't raised a family of children by another woman? A. No sir

Q There are no children now in the Territory that claim to be of your family? A. No sir.

Q And you state now positively that you never received any summons or notification of divorce proceedings on the part of your wife Sarah? A. Never did.

Q And that you never heard that she got a divorce until you heard it now? A. Never heard it until now.

By Cherokee Representative Hastings:

Q Where have you been living since 1880? A. On Cabin creek.

Q In the Cherokee Nation? A. Yes sir.

Q With whom? A. Frank Boyd

Q Did you ever temporarily reside outside of the Cherokee Nation since 1881? A. No sir.

Q Ever married since then? A. No sir.

Q Ever lived with any other woman as your wife since then? A. No sir

Q Have you ever had any children by any other woman since 1881? A. No sir.

Q You don't know what grounds for divorce were alleged by her? A. I never heard about it until now.

Q You swear then positively that you have never lived with any woman or had children by anybody since 1881? A. Yes sir.

Q How long did you live with your wife? A. About a year.

Q Why did you leave her? A. Never left her, she left me.

Q What was her maiden name? A. Fields.

Q What is her father's name? A. Tommy Fields.

Q Is he living? A. No sir he is dead.

Q Where are you living now? A. Some place that I did when I lived with her, 14 or 15 miles from Vinita, Blue Jacket is my post office.

Q How far from Blue Jacket? A. 7 or 8 miles

Q Why didn't you come to Vinita to enroll? A. I did come there and couldn't get in. I came there and staid two days; you quit before I got in. Thought you were coming to Blue Jacket, but you didn't and I have come here.

By the Commission: THIS MARRIAGE LICENSE and certificate is filed with application.

The applicant is identified ~~marriage~~ with reasonable certainty on the roll of 1880 as an intermarried Cherokee. He is a white man, and there filed herewith a Cherokee license and certificate showing his marriage to his Cherokee wife in March 1880. He is not identified on the roll of 1880. He states that he has lived in the Cherokee Nation ever since 1880, and that he and his wife separated in 1881. He claims that she left him; the evidence shows that she was granted a divorce from him. He states that he has not married since he ~~and his Cherokee wife separated in 1881, nor lived with any other woman as her husband.~~ Reference is made for the further consideration

Henry B. Wilson 3

ation of this case to the application of his wife's present husband, Albert J. High, for the enrollment of his wife and others, Card B. 451 and a copy of this testimony is ordered to be filed with that case as it contains testimony affecting the rights of those in that application.

This application will be placed on a doubtful card for further consideration, and the final decision will be made known to the applicant at his post office address.

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Chas. von Weise, being sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes in said proceedings.

Chas. von Weise

Subscribed and sworn to before me this the 31st of October, 1900.

W. D. Green
Notary Public

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 28, 1902.

In the matter of the application of Albert J. High for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 12, 1902, that his application for the enrollment of himself, wife and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission on the 28th day of February, 1902. The applicant this day, to wit the 28th day of February, 1902, appears in person and by his agent, I. P. Bledsoe.

Applicant represented by I. P. Bledsoe, Chouteau, I. T.
Cherokee Nation represented by W. W. Hastings.

COMMISSION: Is there any statement you desire to make relative to this application?

MR. BLEDSOE: I wish to prove that this Sarah Wilson is the wife of Albert High, and her name is upon the 1880 roll, and also establish the fact that it appears that a divorce was granted, a copy of which we have herewith.

T. J. McQUEE, being first duly sworn, testified as follows:

MR. BLEDSOE: What is your name? A T. J. McQuee.

Q How old are you? A 57, 58 I reckon.

Q Where do you live? A Delaware District, Cherokee Nation.

Q Do you recognize this decree of divorce granted by the Delaware District Court in this case? A Well, let me see it. (Mr. Bledsoe hands witness paper.) Yes, sir, this is a document that I wrote out.

Q That is your own handwriting while you were clerk of the Court?

A Yes, sir.

Q Done in regular open court? (No response.)

MR. HASTINGS: Do you remember that? A I don't know whether I done it in open court or not.

Q That is your own handwriting? A Whether I did it in open court or not I couldn't say.

Q That is all you know about it isn't it? A Yes, sir, I reckon that that is all I know about it.

A. J. HIGH, the applicant, being duly sworn, testified as follows:

MR. BLEDSOE: What is your name? A A. J. High.

Q How old are you? A I am 50.

Q Where do you live? A Live in the Cherokee Nation.

Q What is your wife's name? A Sarah E. High.

Q Do you know what her name was before you married her? A Sarah E. Wilson.

Q Do you live with your wife now? A Yes, sir.

Q Been living with her continuously since you married her? A Yes, sir.

Q Living in the Cherokee Nation? A Yes, sir.

MR. HASTINGS: When did you marry her? A Married about '85 as near as I can remember.

Q Well, what date? A Seems to me it was in September.

Q What day of September? A I don't just remember.

COMMISSION: Do you submit the case?

MR. BLEDSOE: Yes, sir.

COMMISSION: The agent for the applicant and the representatives of the Cherokee Nation present submit the case to the Commission. The same is ordered closed and reported to the Commission for a final decision based upon the evidence now of record.

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Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur G. Croninger

Subscribed and sworn to before me this 28th day of February, 1902.



Commissioner.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 7, 1902.

In the matter of the application of Albert J. High for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Sarah E., and children, Eddie C. and William J. High, as citizens by blood of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

- Q What is your name? A Albert J. High.
Q What is your age? A Fifty years old.
Q What is your postoffice? A Chetopa, Kansas.
Q Are you the same Albert J. High that made application to this Commission for enrollment as an intermarried citizen on October 2, 1900? A Yes sir.
Q What is your wife's name? A Sarah E.
Q Is she a citizen by blood of the Cherokee Nation? A Yes sir.
Q When were you married to your wife, Sarah E.? A In 1890.
Q Were you ever married before you married, Sarah E.? A No sir.
Q Was she ever married before you married her? A Yes sir.
Q How many times? A Just once.
Q Was her first husband living or dead when you married her? A He was living but he married before she and I married.
Q Had your wife ever been divorced from him? A Yes sir.
Q Did you file a copy of your wife's divorce when you made your original application? A I can't answer that question; they have the papers.
Q Who has them? A The Dawes Commission.
Q Did you file them with the Dawes Commission? A Yes sir.
Q You are your wife's second husband are you? A Yes sir.
Q She is your first wife? A Yes sir.
Q Have you and your wife lived together as husband and wife from the time you were married in 1890 up until the present time as husband and wife? A Yes sir.
Q You never been separated? A No sir.
Q You never were married to any other woman since you married Sarah E.? A No sir.
Q Living together as husband and wife on the first day of September, 1902? A Yes sir.
Q Have you lived in the Cherokee Nation all the time since you were married to your wife in '90? A Not all the time in the Cherokee Nation.
Q Where did you live? A In Chetopa temporarily.
Q You lived part of the time since you were married to your wife in Chetopa, Kansas? A Yes sir.
Q After you married your wife, Sarah E., when did you go to Chetopa, Kansas, the first time after you married? A I think it was in '94.
Q How long did you stay there the first time? A I stayed from the first of September until the first of March.
Q First of September '94 until the first of March '95? A Yes sir.
Q Did your wife go to Chetopa with you during that time? A Yes sir.
Q You and she lived in Chetopa, Kansas, from September '94 until March '95? A Yes sir.
Q In March '95 did you come back to the Cherokee Nation? A Yes sir.
Q Did your wife come with you? A Yes sir.
Q Did you have any children at that time? A Yes sir.
Q What was its name? A Eddie C.
Q Was Eddie C. in Kansas with you on that trip? A I think so.
Q When you came back in '95 how long did you stay in the Cherokee Nation that trip? A I stayed until the fall, until school commenced again, about the first of September.
Q You stayed until the fall of '95 in the Cherokee Nation did you? A Yes sir.
Q Then what time went back to Chetopa in the fall of '95? A I think so.

2-Albert J. High-

- Q How long did you stay in Chetopa that trip, your second time after you went back in the fall of '95? A I don't just remember just how long we did.
- Q Did you stay a month? A I think we stayed — we generally moved in the fall and went back in the spring.
- Q Did you stay there until the spring of '96? A Yes sir.
- Q Then in the spring of '96 you came back to the Cherokee Nation did you? A Yes sir.
- Q What time in the spring? A About the 10th of March.
- Q That was in the spring of '96? A Yes sir.
- Q How long did you stay in the nation on that trip, did you stay there until next fall? A Yes, I think I did.
- Q That will take you to the fall of '96; then you went back to Chetopa, Kansas? A Yes sir.
- Q And did you stay there until the spring of '97? A I think so.
- Q Then you came back in the spring of '97 to the Cherokee Nation? A Yes sir.
- Q Then did you go back to Chetopa again in the fall of '97? A Yes sir.
- Q And then you stayed there until the spring of '98 did you? A Yes sir.
- Q Then you came back to the Cherokee Nation in the spring of '98? A Yes sir.
- Q What time in the spring did you come back? A I think about the first of March.
- Q Then you stayed until fall again? A Yes sir.
- Q You went to Chetopa in the fall of '98? A Yes sir.
- Q Tell you kept that up all the time up to the present time, backward and forward that way? A Yessir.
- Q Now Mr. High, when you would go to Chetopa, Kansas, in the fall what did you do up there? A I didn't do much of anything myself. I would go backward and forward to the nation, to my farm and see after my stock.
- Q Did you still have your farm in the Cherokee Nation after you had your family in Kansas? A Yes sir, I reserved the place for myself.
- Q And in the spring and summer you brought your family back on the farm? A Yes sir.
- Q What took you up there in the fall? A They have schools up there, to school my children.
- Q How many children did you have when you first went up there? A I had two. They were small and they weren't old enough to go to school.
- Q What took you up there when you first went up? A The oldest boy needed schooling.
- Q You didn't send him to school the first year you went up there? A Yes, I think so.
- Q You didn't send this youngest one to school up there? A No sir.
- Q It was only about a year old then? A He was two years old in the strip payment I think, the smallest one.
- Q It wasn't large enough to go to school? A No sir.
- Q So the first time you went there was to send the oldest child to school? A Yes sir.
- Q How far was your farm from Chetopa, Kansas? A About eight miles southwest.
- Q They had no schools in the Cherokee Nation? A They had some, but didn't amount to anything. It was a good way to go and it was too far to send the boy.
- Q Then you went to Chetopa, Kansas, in the fall and winter did you rent a house or buy a house there? A I bought a little property there.
- Q You fixed it up and kept house there and put furniture in there? A I didn't have much furniture. I had a little, I didn't buy like some fellows.

- Q You had it so you could live in the house? A Yes sir.
- Q And you did live there? A Yes, and I said I wouldn't live in town unless I had property of my own.
- Q And you still own that property? A Yes sir.
- Q And you have owned it all the time since '96? A Yes sir.
- Q And you got all your mail there? A I had my mail come to Russell Creek, it was handy for me because I was living there in the nation, two and a half miles west.
- Q You didn't rent that place out in Chetopa, Kansas when you came back to the Cherokee Nation? A Some times I did as we could not get good renters.
- Q You would lock it up and come back when you come back to the nation in the spring what did you do with your stuff that you had in the house; you had a cook stove and a few chairs? A Yes sir.
- Q And some other household stuff? A Yes sir.
- Q What did you do with that stuff? A We brought it back to the Cherokee Nation.
- Q Then when you went back in the fall or the year what did you do with it, take it back to Chetopa, Kansas? A Yes sir.
- Q So you would move it back and forward every time you moved? A Yes sir, we would just take enough to make out what we could down there.
- Q How big a town is Chetopa, Kansas? A About 2500.
- Q They have schools there? A Yes, they have good schools.
- Q Public schools? A Yes sir.
- Q You didn't have to pay any tuition? A No sir.
- Q You sent them as citizens of Chetopa? A No sir, but I paid taxes there.
- Q Did you vote up there? A No sir, my interest is in the Cherokee Nation, I didn't vote up there for it would have knocked me out in the Cherokee Nation.
- Q Did you ever vote for Congressman or state officer up there at all? A I never voted for anything, I wouldn't vote.
- Q How much of the time during the winter did you spend yourself back on the farm in the Cherokee Nation? A I would come back once every week and see that things are all right.
- Q Once or twice every week or two? A Yes sir, to see the ball a rolling.
- Q Did you have your farm rented out while you were in Chetopa? A Yes sir, I have three houses and I reserved one for myself.
- Q When you came back to the Cherokee Nation in the summer you moved in that house that you had reserved? A Yes sir.
- Q You kept house there, you and your wife and children stayed in that house? A Yes sir.
- Q What would you do in the summer? A I farmed a little myself.
- Q How much farming did you do there in the summer? A I farmed this year forty acres.
- Q How much did you farm in '95? A About the same.
- Q How much did you farm in '98? A I never marked it down, but I farmed a little every year.
- Q As a matter of fact you claim that you never had a home up there in Chetopa, don't you? A No sir, I told you a while ago I bought a home there.
- Q So you claim that you had a home in Chetopa all the time and a home in the Cherokee Nation all the time? A Yes sir.
- Q You had two homes? A Yes sir.
- Q You lived in both places? A Yes sir, off and on.
- Q You lived about half the time in the Cherokee Nation and about half the time in Chetopa? A Yes sir.
- Q Did you do any business at all in Chetopa while you were there? A No sir.
- Q All these seven years you have been there you never did any business? A I had to spend money to live.
- Q You didn't actually go into any business at all there? A No sir.

4-Albert J. High.

Q What did you do all the time, you say you only came back to the farm once every week or two, did you just loaf around town all the time?

A I never loafed, I stayed around the place: I am always on the move around the place.

Q Now your wife and your children since 1894, their residence had been the same as yours? A Yes sir.

Q They lived wherever you lived since 1894? A Yes sir.

Q And what is true of you is true of them? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

B. G. Lohmberger

Subscribed and sworn to before me this 29th day of October, 1902.

B. A. Jones

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application of Albert J. High for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife, Sarah E. High, and his two children, Eddie C. and William J. High, as citizens by blood of the Cherokee Nation.

--- -- -- -- --

DECISION.

--:o:--

The record in this case shows that on October 2, 1900, Albert J. High appeared before the Commission at Vinita, Indian Territory, and made application for his enrollment as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife, Sarah E. High, and his minor children, Eddie C. and William J. High, as citizens by blood of the Cherokee Nation. A copy of the testimony taken on October 31, 1900, in the matter of the application of Henry B. Wilson has been filed herewith and made a part of the record herein. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on February 28, 1902, and on October 7, 1902.

The evidence shows that the said Albert J. High was married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on September 14, 1889, to one Sarah Fields, a citizen by blood of the Cherokee Nation, who is duly identified on the Authenticated Tribal Roll of 1880 under the name of Mary Wilson. The evidence further shows that Sarah Fields had been formerly married to Henry Wilson, and was divorced from him on September 11, 1889. Albert J. High, his said wife, Sarah E., and the two children above named are identified on the Cherokee Census Roll of 1896.

The evidence further shows that Sarah E. High, nee Fields, has resided in the Cherokee Nation all her life, and that, from the time of her marriage to her husband, they have been absent a part of each school year from 1894 until 1902 in the State of Kansas, for the purpose of educating the minor children applicants herein. With the exception of these temporary absences, Albert J. High and his wife, Sarah E., have lived together continuously in the Cherokee Nation from the date of their marriage, up to and including September 1, 1902. The residence of the minor children since birth has been the same as that of their parents.

It is, therefore, the opinion of this Commission that Albert J. High should be enrolled as a citizen by intermarriage of the Cherokee Nation, and that Sarah E. High, Eddie C. High and William J. High should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this 14 10 1902

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,

Vinita I. T. December 26th 1902.

In the matter of the application of Albert J. High et al for enrollment
as citizens of the Cherokee Nation.

Cherokee D 491.

Motion to re open.

Comes now the Cherokee Nation and moves the Commission to set aside
and hold for naught its judgment rendered in this case on December 10th
1902 in order that the Cherokee Nation be permitted to introduce further
testimony as to the residence of the applicants in this case to show that
the applicants are not entitled to be enrolled as citizens of the Cherokee
Nation.

The ~~Cherokee~~ Cherokee Nation expects to prove by _____
and _____ that Albert J. High did not
in good faith remove to and settle within the limits of the Cherokee
Nation prior to June 28th 1898 and that under the provision of that act:

"No person shall be enrolled who has not heretofore removed to and in
good faith settled in the Nation in which he claims citizenship"

that the applicant s in this case should not be enrolled.

This motion is not made for the purpose of delay but that justice might
be done.

Respectfully submitted,

1000 / 1000000000
Attorney for the Cherokee Nation.

Cherokee D-491.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application of Albert J. High for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife, Sarah E. High, and his two children, Eddie C. and William J. High, as citizens by blood of the Cherokee Nation.

O R D E R

-:o:-

It appears from the record in this case that, on December 10, 1902, the Commission rendered its decision, enrolling all the applicants herein as citizens of the Cherokee Nation, and that thereafter, on the 12th day of January, 1903, the Cherokee Nation filed its motion to set aside said judgment and re-open said cause for the purpose of taking additional testimony tending to disprove the rights of the applicants to enrollment as citizens of the Cherokee Nation. The said motion having been considered, it is found that the same is well taken and should be granted.

It is, therefore, ordered by the Commission that the said motion of the Cherokee Nation be, and it is hereby sustained, and the judgment heretofore rendered by the Commission on December 10, 1902, be, and the same is hereby set aside, and that this cause be, and the same is hereby re-opened for the purpose of taking such additional testimony as may be offered, the same to be taken at the office of the Commission in Vinita, Indian Territory, at such time as may be hereafter fixed, upon notice being given by the Cherokee Nation.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.

Commissioner.

Muskogee, Indian Territory,

this MAR 10 1903

Commissioner.

Rem.

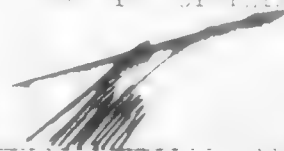
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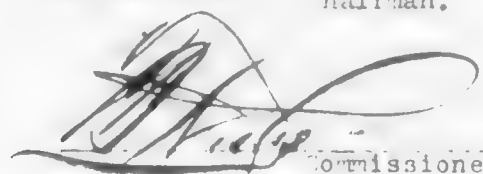
In the matter of the application for the enrollment of
Arnan . . ich, et al., as citizens by blood of the Merokce Nation.

It appears from the record in this case that on March
19, 1903, upon motion of the Merokce Nation this case was re-
opened and further time granted said Nation to take additional
testimony; but as no further testimony has since been offered
by the said Nation this case is now ordered closed.

[Faint, illegible text]



Chairman.



Commissioner

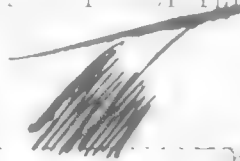
C. R. Beckwith
Commissioner.

Muskogee, Indian Territory,

this ~~6-11-03~~ AUG 31 1904

✓ It is, therefore, the opinion of this Commission that Sarah J. Smith, John Smith and William J. Smith, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 25, 1898, (Stat., 493), and it is so ordered.

ATTEST: SECRETARY OF THE COMMISSION.



Chairman.



Commissioner.

C. R. Beckwith,

Commissioner

uskogee, Indian Territory,
this MAY 15 1905

COPY

Cherokee D-491.

Muskogee, Indian Territory, May 13, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 13, 1905, granting the application for the enrollment of Sarah E. High et al., as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Incl. L-41.

James Sixty
Chairman.

COPY.

Cherokee D-491.

Muskogee, Indian Territory, June 2, 1905.

Charles L. Allen,

Chetopa, Kansas.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 13, 1905, granting the application for the enrollment of yourself, et al. as citizens by blood of the Cherokee Nation.

You are advised that you will not be permitted to make allotment selections until your names have been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-28.

Commissioner in Charge.

COPY.

Cherokee D-491.

Muskogee, Indian Territory, June 2, 1905.

I. P. Rledsoe,

Agent for Sarah E. High, et al.,

Choteau, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 13, 1905, granting the application for the enrollment of Sarah E. High, et al. as citizens by blood of the Cherokee Nation.

Respectfully,

Incl. S-29

SIGNED: *T. B. Needles.*
Commissioner in Charge.

Cher 10907

William J. Butler

Trans. from D1331

Cher 10907

✓

1. *EL*

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-c0o-

In the matter of the application for the enrollment as a
citizen by blood of the Cherokee Nation of:

W I L L I A M J. B U T L E R, Cherokee D-1331.

-c0o-

DEPARTMENT OF THE INTERIOR
MISSION TO THE FIVE CIVILIZED TRIBES

JUL 16 1962

ACTIVE CHAIR

G.

C.

Department of the Interior.
Commission to the Five Civilized Tribes.
Eucha, I. T., June 4, 1902.

In the matter of the application of WILLIAM J. BUTLER for the enrollment of himself as a citizen by blood of the Cherokee Nation.

WILLIAM J. BUTLER, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A William J. Butler.
Q How old are you? A Forty-seven.
Q What is your post office address? A Grove, I. T.
Q What district do you live in? A Delaware.
Q Have you any family, wife or children? A No sir.
Q Just by yourself? A Yes sir.
Q What is the name of your father? A Elowee Butler.
Q Is he living? A No sir.
Q He was a Cherokee by blood? A Yes sir.
Q What is the name of your mother? A Dorcas.
Q Is she living? A No sir.
Q She was a Cherokee by blood? A yes sir, part.
Q Are you a recognized citizen by blood of the Cherokee Nation?
A I suppose so.
Q You are a Cherokee by blood? A Yes sir.
Q What degree of Cherokee blood do you claim to have?
A I don't know, somewheres between five-eighths and three-quarters.
Q About three quarters, do you think? A I think so, abojt.
Q Have you always gone by the name of William J. Butler?
A Not until I was grown.
Q What was your name before you became of age? A William Butler.
Q Have you always lived in Delaware District, Cherokee Nation?
A No sir not always.
Q How long have you been living in Delaware District?
A I don't know. About six years since I came back.
Q Where were you born? A Born not very far from here.
Q In Delaware District? A Yes sir.
Q How long have you lived in Delaware District, since you could remember, until you left the district? A About twenty years, I guess.
Q When you left Delaware District the first time, where did you go?
A I went to Kansas.
Q How long did you live in Kansas at that time? A I lived there five or six months.
Q Then where did you go? A Down into the Osage Nation.
Q How long did you live in the Osage Nation? A I came back the next Spring. That is, I was down to Caney part of the time, and part of the time in the Cherokee Nation.
Q You lived in the Osage Nation then too? A Just the winter, one winter. That is, I came back in the Spring to the Cherokee Nation. I went back up to Kansas from the Cherokee Nation and Osage, and during that winter I stayed there.
Q How long, after you went up there to Kansas in the spring of that next year, how long did you live in Kansas? A I stayed there about a month.
Q Then where did you go? A Went to Colorado.
Q How long did you live in Colorado? I stayed there until I believe it was 1879. It was the spring of 1876 when I went to Colorado, and came back in 1879.
Q Came back to the Cherokee Nation in 1879? A Yes sir.
Q How long did you live in the Cherokee Nation then? A Up until 1888, that is in the Cherokee and Osage country. from one to the other of the two places.

Q You were living, when you returned, sometimes in the Cherokee Nation and sometimes in the Osage? A Yes sir.

Q How long did you live in the Cherokee and Osage Nations after 1879 until you left the country again? A From 1879 about six years.

Q Up to about 1885? A Yes sir.

Q Then where did you go? A Kansas.

Q How long did you live in Kansas then? Ten years.

Q Then where did you go? A Came back here. That is, I went back to Caney and stayed there until the spring of 1896 and came home.

Q Where is Caney? A It is right on the edge, in the corner of the Osage and Cherokee Nations and Kansas, right on the line.

Q You were living, when you were in Caney living in the Cherokee and Osage, and sometimes in Kansas? A Yessir, I was working there right at Caney.

Q Then when you came back to the Cherokee Nation in 1896, six years ago, did you live here ever since? A Yes sir.

Q Near what place? A Grove.

Q During all of your absence from the Cherokee Nation, have you held property here? Have you had any farm or other property? A No sir.

Q Have you any family here now? A No sir.

Q You have no wife or family? A No sir.

Q Have you any brothers or sisters who are enrolled as citizens of the Cherokee Nation? A Yes, all of them, I guess.

Q What are the names of your brothers? A James P. Butler, Aaron H. Butler and John E. Butler.

Q Did you have the same mother and father? A Yes sir.

Q Does your name appear upon the 1880 authenticated rolls of the Cherokee Nation. A No sir.

Q Do you know why? A I just did not come down. I was right there in Caney at the time.

Q You were in the Cherokee Nation at that time, but did not apply for enrollment? A No sir.

Q If there is anything else you want to state in your case, you may do so? A I don't know of anything.

Q Have you always drawn money as a Cherokee citizen? A No sir, not after I left, I didn't.

Q Did you draw money in the 1894 payment? A No sir.

Q You have been living in the Cherokee Nation continuously now for six years? A Yes sir.

Q You have always been recognized as a citizen by blood of the Cherokee Nation? A Yes sir.

Q But owing to the fact that your residence, for about half of your life, has been out of the Cherokee Nation, you do not appear upon the 1880 roll and 1894 roll, and also owing to the fact that you did not apply for enrollment in 1880? A Yes sir.

1880 authenticated roll of citizens of the Cherokee Nation examined for William J. Butler, and name not found.

1896 census roll of citizens of the Cherokee Nation examined, and applicant identified as follows:

Page 444, #429, William J. Butler, Delaware District, age 42.

BEN. J. HILDERBRAND, being first duly sworn, and being examined, testified as follows:

Q What is your name? A B. J. Hilderbrand.

Q How old are you? A Fifty-two.

Q What district do you live in? A Cooweescoowee. I used to live in Delaware, but moved to Cooweescoowee.

Q What is your post office address? A Vinita.

Q You are a citizen by blood of the Cherokee Nation? A Yes sir.
 Q You are one of the witnesses before the Commission at this place?
 A Yes sir.
 Q Do you know the applicant here, William J. Butler? A Yes sir.
 Q About how long have you known him? A I have known him all my life, ever since we were little fellows together?
 Q Do you know his father and mother? A Yes sir, well acquainted with them?
 Q What were their names? A Elijah Butler and Dorcas Butler.
 Q Has this William J. Butler always been recognized as a citizen by blood of the Cherokee Nation? A Yes sir.
 Q Do you know anything about his non-residence? A No sir.
 Q You know that he has been absent from the Cherokee Nation for a number of years? A Yes sir, I know he has been away for some time, but I don't know how long.
 Q Do you know of any reason, other than non-residence, for his not being on the 1880 roll? A No, I do not.
 Q How long has it been since his last return to the Cherokee Nation?
 Q It has been six or seven years.
 Q Since that time has he been living continuously in Delaware District, Cherokee Nation? A Yes sir.
 Q Has he any full brothers who are citizens by blood of the Cherokee Nation, and so recognized? A Yes sir.
 Q What are their names? A Jim and John and Aaron, those three. He has some sisters too.
 Q Give't he full names of those brothers. A James P. Butler, John E. Butler and Aaron H. Butler.

APPLICANT RECALLED.

Q During your residence in Kansas, Colorado and other states and territories, did you exercise the rights of citizenship in those states? A No sir.
 Q Did you ever vote in any other state? A No sir.
 Q Did you ever hold property, or look upon those states as your permanent home? A No sir.
 Q You have always considered the Cherokee Nation as your home?
 A Yes sir.
 Q You left the Cherokee Nation some years ago, on account of some difficulty in a personal way? A Yes sir.

William J. Butler will be listed for enrollment upon doubtful card.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 4th day of June, 1902.

Wm. C. Green
 Notary Public.

D 1331

FILED
MAY 1952

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Encho, J. W.

Date

June 4

1902

Name

Harrison, R. L.

District

Year

Page

No.

Citizen by blood

3/4

Mother's citizenship

*Encho, J. W. 2-8
Encho, J. W. 6-5*

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children

Dist.

Year

Page

No.

Age

Dist.

Year

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Age

DEPT. OF THE INTERIOR
BUREAU OF THE FIVE CIVILIZED TRIBES,
FILED
11 1897

[Handwritten signature]

RESIDENCE:

POST OFFICE:

CHEROKEE NATION.

CHEROKEE ROLL.

CARD NO.

FIELD NO.

| Dawes' Roll No | NAME | Residence to be named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS. | | | | | | | |
|----------------|------|-----------------------|-----|-----|-------|-------------------|----------|----|-------------------------------|------|----------|----------------|------|----------|--|--|
| | | | | | | Year | District | No | Name of Father | Year | District | Name of Mother | Year | District | | |
| 1 | | | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | | | | | |
| 4 | | | | | | | | | | | | | | | | |
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| 18 | | | | | | | | | | | | | | | | |

Donor

Cherokee 1-1331.

COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS
WASHINGTON, D. C.

- 3 -

In the matter of the application for the enrollment of
William J. Butler, as a citizen by blood of the Cherokee Nation.

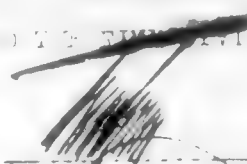

It appears from the record herein that on June 4, 1902,
William J. Butler appeared before this Commission, at Fucha, Indian
Territory, and made personal application for the enrollment of him-
self as a citizen by blood of the Cherokee Nation.

The evidence herein shows that William J. Butler is a
Cherokee Indian, and is identified upon the 1896 Cherokee Census
roll.

It further appears that the applicant was born in the
Cherokee Nation in about the year 1855 and resided continuously
therein until 1875. Thereafter, until 1896 he resided temporarily
in Kansas, Colorado and other States, returning at intervals to the
Cherokee Nation, and while in said States he neither owned any
property nor exercised any rights of citizenship therein. Since
1896, until the date of this application, he has resided continuous-
ly in the Cherokee Nation. It is not considered that the applicant
herein has, by said absences, forfeited his right to citizenship in
the Cherokee Nation.

It is therefore the opinion of this Commission that
✓ William J. Butler should be enrolled as a citizen by blood of the
Cherokee Nation, in accordance with the provisions of the Act of
Congress approved June 28, 1898, (30 Stats., 495), and it is so
ordered.

COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS.


Chairman.

Commissioner.

Muskogee, Indian Territory,
April 1, 1905


Commissioner.

Cherokee D 1331.

Tahlequah, Indian Territory, April 9, 1904.

William J. Butler,

Grove, Indian Territory.

Dear Sir:

You are hereby advised that before your right to enrollment as a citizen of the Cherokee Nation can properly be determined, it will be necessary for you to appear at the Cherokee Land Office of the Commission at Tahlequah, Indian Territory, and give further evidence as to your enrollment by the tribal authorities, and to establish the date of your parents death.

As the roll of citizens in preparation by this Commission is rapidly nearing completion, you are urged to give this matter your immediate attention.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

GWI

COPY.

Cherokee D-1831.

Muskogee, Indian Territory, May 13, 1906.

W. T. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 13, 1906, granting the application for the enrollment of William J. Butler as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Incl. L-27.

(SIGNED)

Tame Dixby.
Chairman.

COPY.

Cherokee D-1331.

Muskogee, Indian Territory, June 2, 1908.

William H. Miller,

Muskogee, Indian Territory.

Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 13, 1908, granting application for enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a final schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which action you will be duly notified.

Respectfully,

Incl. S-31

(SIGNED) *T. E. Nesbitt*
Commissioner in Charge.



Cher 10908

Don Akin

Cher 10908

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application made for the enrollment
as a citizen by blood of the Cherokee Nation of:

Don Akin ----- Cherokee-D-913.

-----000-----

(a)

10. 10. 1000

Department of the Interior,
Commission to the Five Civilized Tribes.
Tahlequah, T. T. December 8th 1900.

In the matter of the application of Don Akins for enrollment as a Cherokee citizen. He being sworn before Commissioner Needles testified as follows-

Q What is your name? A. Don Akins.
Q What is your age? A. 20.
Q What is your post office address? A. Salisaw.
Q What district do you live in? A. Flint.
Q Are you a Cherokee by blood? A. Yes sir.
Q What is your fathers name? A. Andy Akins.
Q Is he living? A. Yes sir.
Q What is your mothers name? A. Sarah.
Q Is she living? A. No sir.
Q Do you want to enroll anybody but yourself? A. No sir.
Q Why dont your father enroll you? A. I dont know.
Q Do you live with him? A. No sir. I live with my half brother Jack Bean.

1880 roll, page 406, page 80, Andy Akin, Goingsnake dist.

Q Was your mother a Cherokee? A. No sir, she was a white woman,
Q Was your father married to her? A. Yes sir.
Q How do you know it? A. That is what my brother told me.
Q Was you on the 1896 roll as Bean or Akins? A. As Bean

1896 roll, page 728, No 272, Don Bean, Goingsnake
1894 616 143, Dan Bean "

Q Have you always lived in the Cherokee Nation? A. Yes sir.
Q Your mother is dead you say? A. Yes sir.
Q She was a white woman? A. Yes sir.
Q What was her name? A. Sarah Finley.

The name of Don Akins appears on the census roll of 1896 as Don Bean and on the pay roll of 1894 as Dan Bean. He avers that he is the child of Andy Akins whose name appears on the authenticated 1880 roll, and that his mother was Sarah Finley a white woman. No proof of marriage is presented as having been solemnized between the said Andy Akins and Sarah Finley, the father and mother of the applicant. He avers that he was put on the census roll of 1896 and the pay roll of 1894 as Bean by his half brother Jack Bean. Consequently because of no proof of marriage between Andy Akins and Sarah Finley, the application for the enrollment of Don Akins will be suspended and his name will be placed on a doubtful card.

SUPPLEMENTAL TO THE ABOVE CASE:

John V. McPhearson being called and sworn as a witness in the above cause, testified as follows-

Q What is your name? A. John V. McPhearson.
Q What is your age? A. 62.
Q Do you know Andy Akins and is he living? A. Yes sir.
Q Do you know Sarah Finley, a white woman, supposed to have been married to Andy Akins? A. I know the widow Bean, who is the mother of this boy.
Q Were the said Andy Akins and Widow Bean ever married? A. No sir.
Q Was she the mother of Don Akins, sometimes known as Don Bean? A. Yes sir.

Chas. von Weiss, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and

Don Akins 's.

correct transcript of his stenographic notes.

Oliver Akins

Subscribed and sworn to before me this the 10th of December, 1900

Wm. A. Akins
Commissioner.

8913

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 8 1900



ACTING CHAIRMAN

- CHEROKEES BY BLOOD AND ADOPTION. -

Name *C. L. ...* Date *Dec 2 1907* 1900.

District *COING ...* Year *1896* Page *1* No. *...*

Citizen by blood *1* Mother's citizenship

Intermarried citizen *1*

Married under what law Date of marriage

License Certificate

Wife's name *Boubtful*

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

| | | | | |
|-------|------|------|-----|-----|
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |
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| Dist. | Year | Page | No. | Age |
| Dist. | Year | Page | No. | Age |

1/11/1896 1896 1896 1896

*Print of marriage between Andy
Akies, and Sarah Lindy, mother of
the applicant to be registered.*

DEPT OF THE INTERIOR
THE FIVE CIVILIZED T
FILED
28 1902

Enjoining the enrollment of himself as a member of the Communist Party, and prohibiting in the matter of the enrollment of

Department of Health and Human Services, Washington, D.C. 20492

R.

C. D-913.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 12, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Don Akins for the enrollment of himself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 20, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 12th day of March, 1902, and that on said date he might appear before the Commission, either in person or by attorney, when an opportunity would be given him to introduce any further testimony affecting his application. The applicant this date, to-wit: the 12th day of March, 1902, having been called, and failing to respond, it is deemed that his case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

6100

by unseparated.

Given on this the 23rd day of June 1962.

COMMISSION TO THE FIVE CIVILIZED TRIBES
 FILED
 JUN 23 1962

ACTING CHAIRMAN

W. C. C. C. C.

in mistake, and I further certify that such records are in
 proper order and that such records were made
 of records made and issued to you. With my hand
 Records of this office and they do not contain any evidence
 I hereby certify that I have carefully examined the records

W. C. C. C. C.

Executive Department, Cherokee Nation

Executive Department, Cherokee Nation,
Tahlequah, Indian Territory

I hereby certify that I have carefully examined the Marriage Records of this office and they do not disclose any evidence of license having been issued to Andy Akin and Sarah Bean, neither do said records show that said parties were united in marriage, and I further certify that such records are in my custody.

Given on this the 23d day of June 1902.

J. T. Parks
Executive Secretary

FILED
MAR 27 1905
COMMISSION TO FIVE TRIBES.

IN THE MATTER OF THE APPLICATION
OF DON SKINS FOR ENROLLMENT AS A
CITIZEN BY BLOOD OF THE CHEROKEE NATION
Muskogee, Indian Territory, March 13, 1905.

In the matter of the application for the enrollment of
Don Skins as a citizen by blood of the Cherokee Nation.

On March 3, 1905, the applicant was notified, by registered
mail, that he could appear before the Commission on March 13, 1905
and introduce further testimony tending to establish his right to
enrollment as a citizen by blood of the Cherokee Nation.

On this, March 13, 1905, the case being called, the appli-
cant does not appear either in person or by attorney.

The Cherokee Nation represented by W. W. Hastings.

COMMISSION:

This case is reset for hearing on March 30, 1905 at
9:00 o'clock A.M.

Eula Jeanes Pranson, being duly sworn, states that, as
stenographer to the Commission to the Five Civilized Tribes, she
reported the proceedings had in the above entitled cause on the
13th. day of March, 1905, and that the above and foregoing is a
full and complete transcript of her stenographic notes taken in
said cause on said date.

Eula Jeanes Pranson

Subscribed and sworn to before me this the 25th. day
of March, 1905.

W. W. Hastings
Notary Public.

IN THE MATTER OF THE ESTATE OF JAMES H. HARRIS, JR.,
DECEASED.
IN THE MATTER OF THE ESTATE OF JAMES H. HARRIS, JR.,
DECEASED.
IN THE MATTER OF THE ESTATE OF JAMES H. HARRIS, JR.,
DECEASED.

Be it remembered that on this March 14, 1905 personally appeared before me the subscriber, a duly appointed Notary Public in and for the said District, John H. Adair and Oscar E. Adair both personally well known to me -- who, after being duly sworn by me, according to law, say that they are personally well acquainted with Don Akin, and that they have been well acquainted with him since time of his birth, sometime in the latter part of 1850; and that the said Don Akin has always been recognized as a Cherokee Citizen in blood. Affiants further affirm that they are not personally interested in the prosecution of Don Akin's claim for enrollment on Dawes Commission Rolls.

(Signed) John H. Adair.

(Signed) Oscar F. Adair.

Subscribed and sworn to before me this March 14, 1905.

(Signed) John Hannah,
Notary Public.

My Commission expires September, 1905.

(S. A. .)

Indorsed on back -- "Filed" Feb 30, 1905.
"RECEIVED" TO "HIST. PERS."

FILED
APR 3 - 1905
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS,
Washington, Indian Territory, March 3, 1905.

In the matter of the application for the enrollment of Don Akin as a citizen of the Cherokee Nation.

Don Akin, singly sworn, testified as follows:

COMMISSIONER:

- Q. What is your name? A. Don Akin.
Q. What is your last office address? A. Salisbury.
Q. How old are you? A. 24 years old.
Q. What is your father's name? A. Andy Akin.
Q. Have you ever lived with your father? A. No sir, never did.
Q. Do you now live with your father? A. No sir, never did.
Q. Was Andy Akin ever admitted to the Cherokee Nation? A. Yes sir.
Q. Your father is dead, is he? A. Yes sir.
Q. Was he a white man? A. Yes sir.
Q. Have you ever spoken to your father? A. Yes sir.
Q. Does he always say that you are his son? A. Yes sir.
Q. Did he tell you so, did he? A. Yes sir.

(An Andy Akin is identified on Cherokee card number 266 as Andy T. Akin-- the applicant-- and is numbered 771 on the final roll, approved by the Secretary of the Interior.)

- Q. Do you know what year you were born? A. In the year of 1900.
Q. What month? A. September.
Q. What day? A. 11th.

THE WITNESS:

- Q. What is your last office address? A. Salisbury.
Q. What is your father's name? A. Andy Akin.
Q. What is his last office address? A. Westville.
Q. Were your father and mother ever married? A. Yes sir.
Q. When? A. I have forgot.
Q. Have you any evidence of their marriage? A. No sir.
Q. Did they ever live together as husband and wife? A. Yes sir.
Q. Where? A. In the State District.
Q. Were they living together at the time you were born? A. Yes sir.

FILED
MAY - 3 1905
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE ENROLLMENT FIELD PARTY.
3 MILES NORTH OF SALLISAW, I. T.
APRIL 7, 1905.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of DON AKINS as a citizen by blood of the Cherokee Nation.

JOHN M. BEAN, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A John M. Bean.
Q What is your age? A 46.
Q What is your post office address? A Sallisaw, I. T.
Q What is the name of your father? A Joseph M. Bean.
Q Is he living? A No sir.
Q When did he die? A In '72.
Q What is the name of your mother? A Sarah Bean.
Q Is she living? A No sir.
Q When did she die? A In 1886.
Q Are you a citizen by blood of the Cherokee Nation? A I am.
Q Through which one of your parents do you derive Cherokee blood? A
A My father.
Q Your father was a citizen by blood of the Cherokee Nation? A Yes sir.
Q Was your mother a white woman? A Yes sir.
Q She wasn't a citizen by blood? A No sir.
Q Your mother and father were not living together in 1880 because your father was dead? A My father was dead.
Q Was your mother living with any other Cherokee citizen in 1880?
A No sir, not as husband and wife.
Q She is not on the 1880 Roll herself? A I suppose she is, I don't know, she was an adopted citizen, I can't tell you.
Q What District was she living in in 1880? A In Goingsnake District when she died, in 1880, she was then in Goingsnake District.
Q What name would she be under in 1880? A Sarah Bean.
Q How old was she in 1880? A I will have to study a minute. I don't know the year mother was born, she was about 38 I suppose.
Copy of the 1880 Roll having been examined and the witness's mother identified along with himself upon that roll, Goingsnake District, as an adopted white, 38 years of age.
Q Sarah Bean is your mother and she was an adopted white was she?
A Yes sir.
Q Your father died prior to the 1880 Roll? A Yes sir.
Q Was your mother subsequently married to a citizen of the Cherokee Nation? A No sir.
Q Was she living with a Cherokee citizen along in 1880 sometime?
A As I told you she took up with a man and they lived together.
Q What was his name? A Andrew T. Akins.
Q He was a recognized citizen by blood was he? A Yes sir.
Q Did your mother have a child by this man? A Yes sir.
Q What is the name of that child? A Don Akins.
Q About what time was he born? A He was born September 11, 1880.
Q He was born too late to be put on the 1880 Roll? A Yes sir.
Q Is Don Akins your half brother? A Yes sir.
Q Is he living? A Yes sir.
Q Is his mother Sarah Bean living? A No sir.
Q Where is Don Akins? A He is living here in Sequoyah District with E. E. Adair.
Q Don Akins was born in the Cherokee Nation? A Yes sir.

- Q Has he ever lived outside of the Cherokee Nation? A No sir, not that I know of, I don't suppose he was ever 10 miles outside of the Cherokee Nation in his life.
- Q Has Andy Akins ever recognized Don Akins as his son? A Yes sir in speaking about him he speaks of him as his son.
- Q He has in different ways acknowledged Don Akins as his child?
- A Yes sir, he helped me some in providing for him.
- Q You have been the custodian of this boy since his mother's death and Andy Akins has helped provide for the boy? A Some, yes, not much.
- Q Then Andy Akins not only not denied the ^{paternity} ~~parentage~~ of Don Akins but has admitted it as well? A Yes sir, to me.
- Q Is Don Akins known by the name of Don Akins or Don Bean? A He is commonly known as Don Akins here but up in Goingsnake they call him Don Bean.
- Q What is his real name? A Don Akins.
- Q Under what name was Don Akins enrolled on the 1896 Cherokee Census Roll? A Don Bean.
- Q The Don Bean on the 1896 Census Roll is the Don Akins that you are testifying about? A He is.
- Q Who put him on the 1896 Census Roll? A I had it done.
- Q Has his right to enrollment as a citizen of the Cherokee Nation ever been disputed by the Tribal Authorities? A No sir.
- Q Has he ever drawn any money as a citizen of the Cherokee Nation?
- A Yes sir.
- Q State about when he drew money? A He drew money in 1883, he drew money in 1886, he drew money in 1890, and drew money in 1894.
- Q He has no Cherokee blood except that derived through his father Andy Akins? A Yes sir that is all the Cherokee blood he has.
- Q Is it commonly known in the community in which Don Akins was born that Andy Akins was his father? A Yes sir.
- Q Has he ever been married? A No sir.
- Q He is now a young man about 22 or 23 years old? A He is older than that, about 24 or 25. Yes sir he is 24, will be 25 in September.
- Q He is now living and making his home in Sequoyah District? A Yes sir.

The applicant is identified on the 1896 Cherokee Census Roll under the name of Don Bean, in Goingsnake District, No. 272, and is listed for enrollment from information on Cherokee D-913.

EDWARD E. ADAIR, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A Edward E. Adair.
- Q What is your age? A Nearly 53.
- Q What is your post office address? A Sallisaw, I. T.
- Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
- Q Do you know a boy by the name of Don Akins or Don Bean? A Yes sir.
- Q Is he living with you at present? A Yes sir.
- Q How long have you known him? A I have known him ever since he was a boy.
- Q Were you acquainted with his mother, Sarah Bean? A Yes sir.
- Q Was she a white woman or citizen by blood? A White woman.
- Q Do you know who the father of this Don Akins is? A Not any more than a supposition, A. T. Akins is claimed to be his father.

- Q It is the general report of the community in which the boy was born and reared that Andy Akins was his father? A Yes sir.
- Q Is Andy Akins a recognized citizen by blood? A Yes sir.
- Q In what District was he living in 1880? A In Goingsnake.
- Q Is he on that roll in 1880? A I think you will find him there.
- Q What is Andy Akins full name? A Andrew Taylor Akins, he signs his name as Andrew T. Akins.
- Q Has Andrew T. Akins ever recognized this boy as his son? A I don't know, I suppose he has, I understood so.
- Q Has the right of Don Akins as a citizen by blood of the Cherokee Nation ever been questioned to your knowledge? A No sir.
- Q To the best of your information Andrew T. Akins has recognized this boy as being his son? A Yes sir, I have always understood that.
- Q In what District was Don Akins living in 1896? A I couldn't answer that question now. In '96, I don't know where he was then, he might have been, I think may be in Goingsnake.
- Q Is this boy sometimes known as Don Bean? A We call him Don Bean.
- Q His real name is what? A It would be Don Akins.
- Q He is living at present and has been all his life in the Cherokee Nation? A Yes sir.
- Q And so far as you know his right has never been questioned?
- A No sir.
- Q Does he have the appearance of a Cherokee by blood? A Yes sir, he doesn't know anything about anybody else but the Cherokees.

-----oOo-----

George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lessley

Subscribed and sworn to before me this 3rd day of May, 1905.

William White

Notary Public.

C. D. 913

FILED
MAR 30 1905
COMMISSION TO FIVE TRIBES.

United States of America.

Northern Dist Indian Territory

Be it remembered that on this 14th Nov 1905

personally appeared before me the undersigned, a
duly appointed Notary Public in and for the said
District John H Adair and Oscar F Adair,
both personally well known to me - who after being
duly sworn before according to law say that they
are personally well acquainted with Don Allen
and that ^{they} have well and lawfully associated with him
since time of his birth ~~and~~ some time in
later part of 1883 and that the said
Don Allen has always been recognized as
a Cherokee Citizen and blood. In view of further
evidence that they are not specially interested
in the prosecution of Don Allen claim for ~~any~~
time so concerned as on their Commission both

John H Adair
Oscar F Adair

14th Nov 1905

John H Adair
Notary Public

at Muskogee, Okla. 24 - Sept 1905

Executive Department, Cherokee Nation,
Walla Walla, Indian Territory

I hereby certify that I have carefully examined the Marriage Records of this office and they do not disclose any evidence of license having been issued to Andy Akin and Sarah Beam, neither do said records show that said parties were united in marriage, and I further certify that such records are in my custody.

Given on this the 23d. day of June 1902.

J. T. Parker
Executive Secretary

1917.

[Handwritten signature/initials]

In the matter of the application made for the enrollment of Lon Akin as a citizen of the Cherokee Nation.

COMMISSION.

The record in this case shows that on December 6, 1900, the said applicant appeared before the Commission, at Tahlequah, Indian Territory, and made application for the enrollment of himself as a citizen of the Cherokee Nation. Further proceedings were had in the matter of this application at Muskogee, Indian Territory, on March 7, 1905, and at Muskogee, Indian Territory, on April 7, 1905.

It is further shown from the records herein that the said Lon Akin, the applicant, is of Cherokee blood, and was about 20 years of age at the time of his application for enrollment; that he derived his right to enrollment solely through his father, Andy T. Akin, who is duly identified upon the 1900 Cherokee authenticated tribal roll, Georgia District, and whose name appears upon the final roll of citizens of the Cherokee Nation opposite No. 271; that he was born in the Cherokee Nation and from birth has made his home continuously therein.

The applicant, having been born since the 1900 Cherokee tribal roll was made, is duly identified upon the 1906 Cherokee Census roll, being in the District, under the name of Don Akin.

It is, therefore, the opinion of this Commission that Don Akin should be enrolled as a citizen of the Cherokee Nation, in accordance with the provisions of Section 1901, and of the Act of Congress of March 3, 1907 (34 Stat., 426), and it is so ordered.

COMMISSIONER OF THE CIVILIAN SERVICE.

[Handwritten signature]
Chairman.
[Handwritten signature]
Commissioner.

Muskogee, Indian Territory,

MAY 1915

[Handwritten signature]
Commissioner.

10913

MM'S. CO. TO THE F. B. I. (2002) (10/13)

FILED

FEB 13 1902

10913

MEMORANDUM FOR THE PRESIDENT

February 20,

Mr. Don Akins,

Sallisaw, Indian Territory,

81r:-

You are hereby notified that the application of

yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on
the 12 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of marriage of your parents.

Cherokee D-913
Register.

Yours truly,

XXXXXXXXXXXX
Acting Chairman
Commissioner in Charge.

Waskom, Indian Territory, May 31, 1902.

Mr. J. T. Parks, Executive Secretary,
Tahlequah, Indian Territory,

Dear Sir:

Please examine the records of your office for evidence of marriage of Andy Akins to Sarah Bean, and if evidence of such marriage be found, make certified copy thereof, and forward same to this office. In the event that no evidence of such marriage be found, please make certificate to that effect.

Yours truly,

Commissioner in Charge.

812
D-913.

Muskogee, Indian Territory, June 27, 1902.

Don Akins,

Sallisaw, Indian Territory.

Dear Sir:-

In the matter of your application for enrollment as a citizen by blood of the Cherokee Nation, you are required to file with the Commission, a certificate of marriage of your parents, or a duly certified copy thereof. In the event that you are unable to file such certificate or certified copy, you are required to bring before the Commission, one or more persons who witnessed the marriage, in order that the same may be established.

You will be allowed until July 15, 1902 within which to comply with these requirements, and you are advised that it is highly important that you take prompt action in the matter.

Yours truly,



Commissioner in Charge.

Register.

Cherokee D 913.

Muskogee, Indian Territory, September 11, 1902.

John O. Rosson,

Tahlequah, Indian Territory.

Dear Sir:

Upon an examination of the papers filed in the matter of the application of Don Akins for enrollment as a citizen of the Cherokee Nation, it appears that under date of June 27, 1902, he was notified to furnish the Commission with evidence as to the identification of his mother on the tribal rolls of the Cherokee Nation; or, if it was impossible for him to furnish such evidence, to show that his mother and father, Andy Akins, were duly united in matrimony.

You are advised that the said Don Akins is now about twenty-two years of age, and stated, when he made application for enrollment, that his postoffice address was Sallisaw, Indian Territory, but letters addressed to him at that place have been returned unclaimed.

Please use every effort to ascertain the whereabouts of the said Don Akins, and procure the evidence above indicated and forward same to the Commission as soon as possible.

Yours truly,

Acting Chairman.

Cherokee D 913

Vinita, Indian Territory, January 26, 1903.

Don Akins,

Sallisaw, Indian Territory.

Dear Sir:

You are hereby notified that before your application for enrollment as a citizen by intermarriage of the Cherokee Nation will be complete, it will be necessary for you to introduce further testimony showing that you are the son of Andy Akins.

This testimony can be introduced before the Cherokee Land Office of this Commission at Vinita, Indian Territory, on any day prior to September 18, 1903.

When you appear, please present this letter.

Respectfully,

Acting Chairman.

GRS

COPY

Cherokee D-913.

Muskogee, Indian Territory, January 12, 1905.

Jack Bean,

Sallisaw, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Don Akins as a citizen by blood of the Cherokee Nation, you are advised that the Commission desires testimony showing who was the father of Don Akins, and whether or not he was a Cherokee Indian by blood.

The applicant has this day been directed to appear before the Commission at its offices at Muskogee, Indian Territory, at nine o'clock A. M., on Wednesday, February 1, 1905, and introduce testimony touching the points above mentioned.

In this connection you are advised that the Commission has heretofore written the applicant, Don Akins, at Sallisaw, Indian Territory, but that its letters have been returned, and in case you know the whereabouts of the said Don Akins, you are requested to communicate to him the Commission's desires in this matter.

Respectfully,

Tamc Bixby.

Chairman.

Register.

CC

Cherokee D-913.

Muskogee, Indian Territory, January 12, 1905.

Don Akins,

Sallisaw, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a citizen by blood of the Cherokee Nation, you are advised that before the Commission can render a final decision in this case, it will be necessary that you introduce further testimony showing whether or not your father was a Cherokee Indian by blood and entitled to enrollment in said nation.

You are, therefore, hereby directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Wednesday, February 1, 1905, and introduce testimony touching the points above mentioned. In this connection you are advised that you have heretofore been requested to furnish this evidence but the same has not been forthcoming.

Respectfully,

Register

Tamc Dixby.
Chairman.

Cherokee D-913.

Muskogee, Indian Territory, March 3, 1905.

W. W. Hastings,

Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Don Akins as a citizen by blood of the Cherokee Nation, you are advised that before the Commission can render a final decision in this case, it will be necessary that further testimony be introduced tending to establish the rights of the applicant to enrollment as a citizen by blood of the Cherokee Nation.

The said Don Akins has, therefore, this day been directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Monday, March 13, 1905, and introduce testimony as above indicated. You are further advised that the Cherokee Nation will be permitted to appear on that date and introduce such testimony as it may desire in the matter of the said application.

Respectfully,

J. R. Brothman.

Commissioner in Charge.

COPY.

Cherokee D-913.

Muskogee, Indian Territory, March 3, 1905.

Jack Dean,

Gallisaw, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of February 27, 1905, relative to the enrollment of Don Akins as a citizen by blood of the Cherokee Nation.

In reply you are advised that it is desired that the applicant in this case make a personal appearance before the Commission and give further testimony tending to establish his rights to enrollment as a citizen by blood of the Cherokee Nation.

The applicant has, therefore, this day been directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Monday, March 13, 1905, and introduce testimony as above indicated.

Respectfully,

SIGNED, *C. F. Breckinridge.*
Commissioner in Charge.

Cherokee p-913.

Muskogee, Indian Territory, March 3, 1905.

Don Akins,

c/o Jack Bean,

Gallisaw, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a citizen by blood of the Cherokee Nation you are advised that before the Commission can render a final decision in this case, it will be necessary that you appear before the Commission and introduce further testimony tending to establish your rights to enrollment as a citizen by blood of the Cherokee Nation. It is desired that you make a personal appearance.

You are, therefore, hereby directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Monday, March 13, 1905, and introduce testimony as above indicated. You are further advised that the Cherokee Nation will be permitted to appear on that date and introduce such testimony as it may desire in the matter of said application.

Respectfully,

Register.

Commissioner in Charge.

87-100-100-100-100-100-

W. J. Kell

COPY.

Cherokee D-913.

Muskogee, Indian Territory, March 16, 1905.

R. T. Kelleam,

Sallisaw, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of March 13, 1905, relative to the enrollment of Don Akins as a citizen by blood of the Cherokee Nation.

In reply you are advised that before the Commission can render a final decision in this case it will be necessary that further testimony be taken tending to show whether or not the father of the said Don Akins was a Cherokee Indian by blood and entitled to enrollment as such. It is desired that the said Don Akins make a personal appearance in this case. He has therefore this day been directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Thursday, March 30, 1905, and introduce testimony as above indicated.

Respectfully,

SIGN.

Tamc Darby

Chairman.

Register.

COPY.

Cherokee D-913.

Muskogee, Indian Territory, March 16, 1905.

Don Akins,

Sallisaw, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a citizen by blood of the Cherokee Nation, you are advised that before the Commission can render a final decision in this case it will be necessary that you introduce further testimony tending to show whether or not your father was a Cherokee Indian by blood and entitled to enrollment as such.

You are, therefore, hereby directed to appear before the Commission at its offices in Muskogee, Indian Territory, at nine o'clock A. M. on Thursday, March 30, 1905, and introduce testimony as above indicated. You are further advised that the Cherokee Nation will be permitted to appear on that date and introduce such testimony as it may desire touching the points mentioned.

Respectfully,

Register.

Tamox Dixie
Chairman.

CD913

Received April 4, 1905.

Franklin, Fred P.,
Mississippi, I.C.,
Cherokee Nation,
April 7, 1905.

Report of Cherokee Field Party.

Cherokee Enrollment.

Sallisaw, Indian Territory, April 7, 1905.

Commission to the Five Civilized Tribes,
(Cherokee Enrollment Division),
Muskegee, Indian Territory.

Gentlemen:

Since our last report we have taken testimony in the following cases:

- D.D.-2047- James B. Brackett, which shows the applicant's residence to have never been changed from the state of Georgia.
- C.D.-3049- Amanda Brackett, intermarried status taken.
- C.D.-913 - Don Akin, as to the paternity of the applicant.
- C.D. - 1766 - Ballie Rider, intermarried status taken.
- C.D. 3050 - Ballie Caughman, duplicate.

Respectfully,

Fred P. Branson.

Cherokee D-910.

Muskogee, Indian Territory, May 26, 1905.

W. F. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 26, 1905, granting the application for the enrollment of Don Akin as a citizen of the Cherokee Nation.

You are advised that you will be given fifteen days from date hereof within which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which you will be required to furnish the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Incl. S-70

Tamc Dixby.
Chairman.

COPY.

Cherokee D-913.

Muskogee, Indian Territory, June 21, 1905.

Don Akin,

Sallisaw, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated May 26, 1905, granting the application for your enrolment as a citizen of the Cherokee Nation.

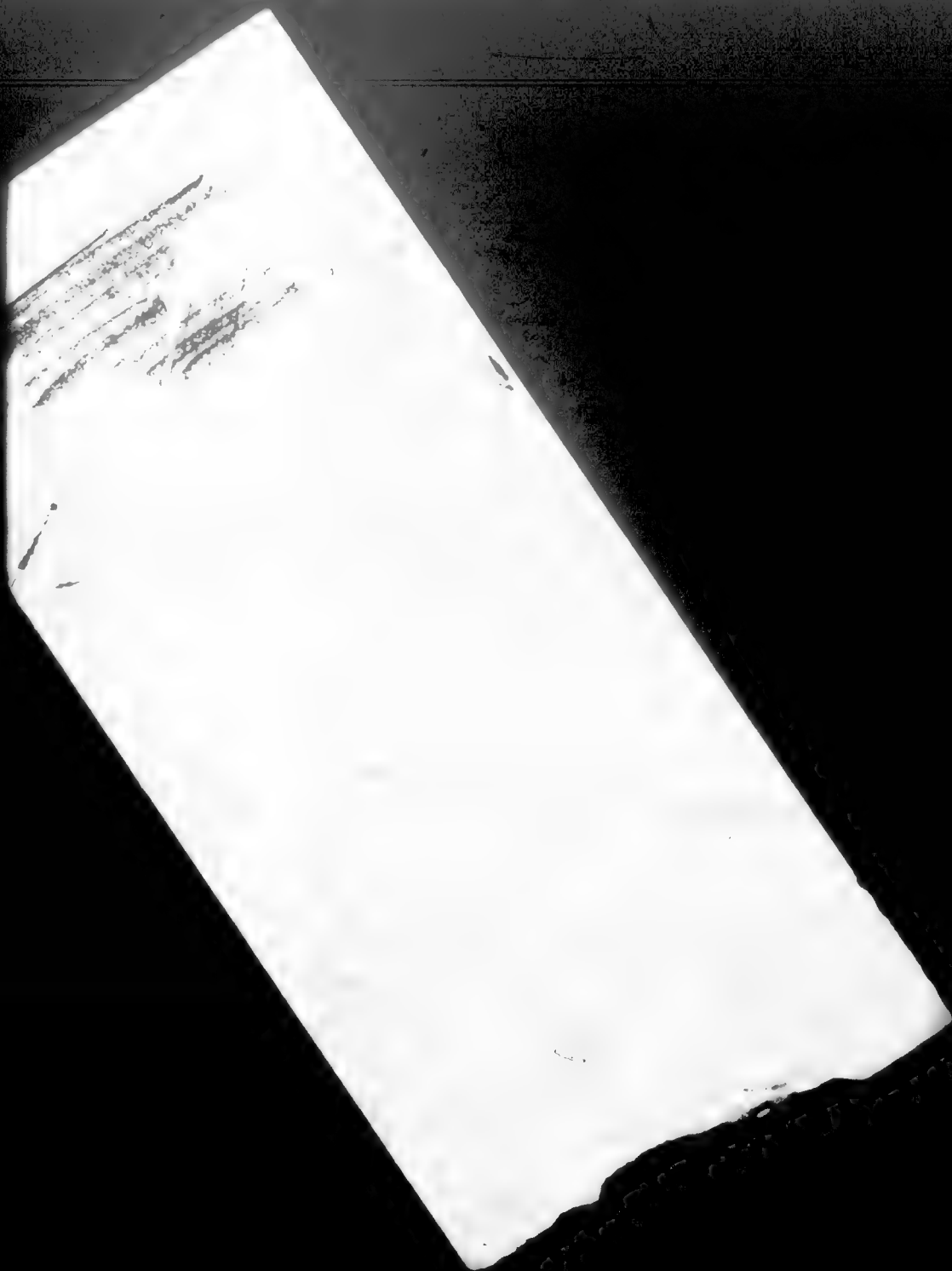
You are advised that you will not be permitted to make an allotment selection until your name has been placed upon a schedule of citizens by blood of the Cherokee Nation and approved by the Secretary of the Interior, of which you will be duly notified.

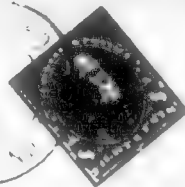
Respectfully,

(SIGNED). *Tame Dixby.*
Chairman.

Incl. S-47







Department of the Interior

Commissioner to the Five Civilized Tribes

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

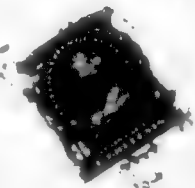
Penalty for private use, \$300.



Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOCÉE, IND. TER.

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14115



Cher 10909

David V. Ghormley

Cher 10909

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
DAVID V. CHORLEY, ET AL.,
as citizens by blood of the Cherokee Nation.

CHEROKEE 1016

28

R

RECEIVED
JAN 11 1901
U.S. DEPT. OF THE INTERIOR

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 11 1901

[Signature]

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., DECEMBER 14th, 1900.

In the matter of the application of Michael O. Ghormley for the enrollment of his brother, DAVID V. GHORMLEY, and children, as citizens of the Cherokee Nation; said Ghormley being sworn and examined by Commissioner Breckinridge, testified as follows:

- Q Give me your full name? A Michael O. Ghormley.
Q How old are you? A 53.
Q What is your post office? A Tahlequah.
Q In what district do you live? A Tahlequah district.
Q Who is it you wish to have enrolled? A My brother, David V. Ghormley and his two children.
Q Why does not your brother apply for himself? A He is really non compos mentis; he is not here, but is in the Country somewhere and is not capable of tending to his business. He left here last September with his two children.
Q Are these children wandering around with him? A Yes, sir.
Q Give me the name of your brother? A David V. Ghormley.
Q How old is he? A About 51 years old.
Q He is a Cherokee by blood is he? A Yes, sir.
Q How long has he lived in the Cherokee Nation? A 50 years this month.
Q Give me the name of his father? A William C. Ghormley.
Q Is he dead? A Yes, sir.
Q Give me the name of his mother? A Elizabeth.
Q Is she dead? A Yes, sir.
Q Give me the names of these children? A Mattie.
Q How old is Mattie? A About 12 or 13. The next one is William.
Q How old is that child? A About 10.
Q Are these children both living now? A Yes, sir, the last time I heard from them.
Q Give me the name of the mother of these children? A Her name was Mattie I believe, or Martha.
Q When did she marry your brother? A About 1886 I reckon.
Q Is she dead? A Yes, sir.
Q Was she a Cherokee woman? A Yes, sir.
Q When did she die, how long, since? A I guess it is two years ago as near as I can remember.
Q Did she and your brother live together from the time of their marriage until her death? A Yes, sir.
Q How old was she when she died, about how old? A I speak in the neighborhood of 30 years.
Q Did she live in the Cherokee Nation all her life? A Yes, sir.
Q Was she ever married except to your brother? A No, sir.
Q Give me the name of her father? A Andy Fields, I think was her father's name.
Q Is he dead? A Yes, sir, I think so.
Q Give me the name of her mother? A I do not know whether I can or not.
Q Is her mother dead? A Yes, sir, I think so; they lived up on the line, I am not positive about that.
1880 Roll; page 437, #804, W. C. Ghormley, Going Snake.
1880 Roll; page 437, #805, Sarah Ghormley, Going Snake.
Q This Sarah you say is not the mother of this brother? A No, sir, out mother is not on any roll unless it is the '51.
1880 Roll; page 432, #691, Mary Fields, Going Snake.
1896 Roll; page 138, #1223, David V. Ghormley, Coowee Coowee.
1896 Roll; page 165, #1927, Mary : :
1896 Roll; page 165, #1928, Mattie : :
1896 Roll; page 165, #1929, Mattie : :

D-1 V. G. Gurnley--2.

Q Now, Mr. Gurnley, your first wife is enrolled with him and with their children as Mary instead of Mattie? A They called her Mattie.

Q Do you know, now, about her right name being Mary? A Yes, that is it.

Q You think that is her right name? A I am positive.

Q Your brother has never lived with any other woman as his wife except this one? A No, sir.

Q Now, have you a certificate of marriage between your brother and this wife? A No, sir.

Q Is there someone here who knows that they lived together as man and wife? A Yes, sir.

JOHN B. McPHERSON, being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give your name there, please? A John B. McPherson.

Q How old are you? A About 60 years old.

Q What is your last office? A Stillwell.

Q How long have you lived in the Cherokee Nation? A Raised in the Cherokee Nation.

Q Lived here all your life? A Ever since I was a little child.

Q Mr. McPherson, do you know David V. Gurnley? A Yes, sir.

Q Is he a full brother of the applicant here? A Always said to be.

Q How long have you known David? A From the time he was a child, always.

Q Have you ever known him to live anywhere except the Nation? A No, sir.

Q He spent his whole life here? A Yes, sir.

Q At least from childhood? A Yes, sir.

Q Do you know of any reason why he is not on the roll of 1880?

A No, sir, I do not.

Q Did his mother die when he was very young? A He was small when she died.

Q The woman with his father on the roll of 1880 was his step-mother? A Yes, sir.

Q Her name was Mary; did David live with somebody else about 1880; he was not married then? A I do not know whether he lived with anybody else; I always found him to be in the country.

Q Was he a little weak minded? A Yes, sir, always was and is until yet.

Q And is so at this time? A Yes, sir, was the last time I saw him.

Q What was the name of his wife? A Mary Fields.

Q Did they call her Martha sometimes too? A I never hear her by that name, no, sir.

Q Was she a Cherokee woman? A Yes, sir.

Q And they lived together as husband and wife? A Lived on my place a while.

Com'r Breckinridge:--The applicant applies for the enrollment of a brother and two children of the brother, and states that this brother, David V. Gurnley, is quite weak minded and is now wandering about around the Cherokee Nation, attended by these two children and really they are incapable of taking care of themselves. This brother is known to have been in the Cherokee Nation for some 50 years. He is identified on the roll of 1896 as a native Cherokee. He is not identified on the roll of 1880, but his own mother died when he was young and it is considered that his omission from the roll of 1880 could only have arisen from neglect and oversight.

DAVID L. GILLEY - 2.

No doubt is entertained of the right of this man to enrollment as a Cherokee by blood. He is believed to be living at this time, but for the purpose of receiving more definite information as to his whereabouts at present, he will now be listed for enrollment as a Cherokee by blood upon a doubtful card, and the applicant is desired to send the Commission any information he may be able to obtain in regard to his brother.

The two children are duly identified on the roll of 1896. Their deceased mother is identified on the roll of 1880 and 1896 and her marriage to the father of these children is established by satisfactory personal testimony, and she is identified as his wife on the roll of 1896. No doubt is entertained as to the right of these children to enrollment as Cherokees by blood, but as they cannot be definitely located at the present time, they, too, will be listed at present upon a doubtful card, to await any further information that may be obtainable in regard to them. At present the post office address of this brother and these two children will be in the care of the applicant.

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J. O. Ross, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Ross

Subscribed and sworn to before me this 10th day of December, 1900.

[Signature]


Commissioner.

9125

OB

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 18 1900

 ACTING CHAIRMAN

- CHEROKEES BY BLOOD AND ADOPTION. -

Date

DEC 1 - 1900

1900.

51) Name David V. Ghoramley
 District Coowee Coowee

Year 1896 Page 145 No. 1923

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year

Page

No.

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

| | | | | | | |
|---------|-----------|---------------------|-----------|----------|----------|--------|
| Matthie | Ghoramley | Dist. Coowee Coowee | Year 1896 | Page 145 | No. 1925 | Age 12 |
| William | " | Dist. " | Year 1896 | Page 145 | No. 1926 | Age 10 |
| | | Dist. | Year | Page | No. | Age |
| | | Dist. | Year | Page | No. | Age |
| | | Dist. | Year | Page | No. | Age |
| | | Dist. | Year | Page | No. | Age |
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| | | Dist. | Year | Page | No. | Age |
| | | Dist. | Year | Page | No. | Age |
| | | Dist. | Year | Page | No. | Age |

dro 1 on 1896 roll as
 " 2 " 1896 " "
 " 3 " 1896 " "

David V. Ghoramley
 Matthie
 Willie

Application made by Michael O. Ghoramley
 and ~~brother~~ he is required to furnish in form
 that dro 1-2+3 are alive - P.O. address of Michael
 O. Ghoramley Tahlequah, Ok.

MAR 1 1905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CIVILIZED TRIBES.
CHEROKEE, I. T., MARCH 1, 1905.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of DAVID V. GHORNLEY and his two minor children, MATTIE and WILLIAM GHORNLEY as citizens by blood of the Cherokee Nation.

MICHAEL O. GHORNLEY, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A Michael O. Ghornley.
Q Are you a Cherokee by blood? A Yes sir.
Q Do you know David V. Ghornley? A Yes sir.
Q What relation is he to you? A My brother.
Q What is your post office address? A Tablequah, I. T.
Q Are you of the same father and same mother as David? A Yes sir.
Q Has he got any children? A David V., yes sir, two.
Q What are their names? A Mattie and William.
Q Is Mattie a girl? A Yes sir.
Q William a boy? A Yes sir.
Q Do you know whether David V. Ghornley and his two children are living today? A I know of the two children, but not about David V.
Q Where are the children living now? A Boy is at my house, and girl is at her uncle's, her mother's brother, John Fields.
Q Who is the mother of these two children? A Mary Fields.
Q Is she living? A No sir.
Q She a Cherokee by blood? A Yes sir.
Q Do you know whether David V. Ghornley was married to Mary Fields?
A He was married, but I have got no record of it.
Q You know that of your own knowledge? A I never saw it.
Q Did David V. Ghornley and Mary Fields live together as husband and wife? A Yes sir.
Q For how many years? A 8 or 10 years I reckon.
Q Were these children born while they were living together as husband and wife? A Yes sir.
Q When did you last hear of the whereabouts of your brother, David V. Ghornley? A The last I heard of him by witness, and by letter, was in September, 1903.
Q From whom did you receive the letter that you mention? A From a first cousin of mine.
Q And where was David V. Ghornley seen at that time? A Muldrow, I. T., Cherokee Nation.
Q Have you seen him after September 1, 1903? A No sir I haven't seen him.
Q Have you good reasons to believe, and do you believe that on September 1, 1903, he was living? A Yes sir.
Q What is the mental condition of David V. Ghornley? A He was really incapable of attending to his own business, he was weak minded, and when he married he married contrary to the wishes of my father, and when we took them there his wife would not stay and I got them down to Tablequah, and kept them on my farm as long as I could keep them there, and he left there and drifted off upon Grand River.

- Q What is your opinion of the ability or not David V. Ghormley was or is able to attend to his own affairs as a business man?
- A He is not capable of attending to his own affairs.
- Q Has he ever been employed in a hospital? A No sir.
- Q Has a guardian been appointed for the administration of his estate? A No sir.
- Q Have you been appointed as guardian for William? A No sir, I just took him over yesterday.
- Q Has David V. Ghormley and his two children lived continuously in the Cherokee Nation since their birth? A Excepting when he left, that is after he crossed over into the Creek Nation, two years ago I think it was. We lost him and I had written and inquired until I found out he wasn't in the Cherokee Nation, and this man he said that he saw him in Muldrow the first I heard of him.

N. K. WITT, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A N. K. Witt.
- Q What is your post office address? A Tahlequah, I. T.
- Q Are you a white man? A Yes sir.
- Q How old are you? A 51.
- Q Do you know David V. Ghormley? A I never met him but the one time, he came to my house in Muldrow.
- Q When was that? A A year ago last September.
- Q What was his condition at that time, mentally? A He didn't stay very long, about two hours, I talk with him and I saw something was wrong with him some way.
- Q Would he give you intelligent answers to your questions? A Some times he would and some times he wouldn't.
- Q Are you sure you have seen him within the last two years? A Yes sir that is what he told me his name was, David Ghormley.
- Q Did you make any inquiries afterwards as to what was his name? A Yes sir.
- Q Are you satisfied that it was David V. Ghormley the brother of Michael Ghormley? A Yes sir.
- Q Did he have the children with him at that time? A No sir they were up here in the Creek Nation somewhere.
- Q The only time that you have ever seen him was about September, a year ago? A Yes sir.
- Q You saw him then for about two or three hours and that is all you know about it? A Yes sir.
- Q Are you any relation to the Ghormley family? A Yes sir.
- Q What relation? A His father and my mother are brothers and sisters.
- Q Whose father? A Michael Ghormley.

Michael G. Ghormley files letters of September 5, 1903, and September 12, 1903, from his cousin, Rachel Witt Stone.

Q Who is that Rachel Witt Stone? A She is my sister.
Q Is that her handwriting? A Yes sir.

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George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lessley

Subscribed and sworn to before me this 1st day of March, 1905.

Myron White
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO PROMOTE CIVILIZED LIFE.

I have been a member of the National Association of Manufacturers since 1914, and have been a member of the C. I. O. since 1921.

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I AMENDING AND AMENDING ORDINANCE 1: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838,

✓ 1. H. J. ... ✓ G. ...
✓ 2. ... ✓ ...
✓ 3. ... ✓ ...

✓ William G. Smiley,
President.

JUN 21 1945

Cherokee 10909

Allotment 32678
" 32680

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DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.
Tahlequah, I.T., December 18, 1905.

In the matter of the application for the selection of allotments and designation of homesteads in the Cherokee Nation for David V. Ghormley and his son William Ghormley.

Michael O. Ghormley, being duly sworn by William P. Drew, a Notary Public, and examined on behalf of the Commissioner, testified as follows:

Q What is your name? A Michael O. Ghormley.
Q What is your age? A Fifty-eight.
Q What is your postoffice address? A Tahlequah.
Q What is your purpose in appearing before the Cherokee Land Office at this time? A To file two allotments--one for my brother, David V. Ghormley and the other for his son, William.
Q Is your brother David V. Ghormley living? A We suppose him to be dead.
Q What reason have you for that supposition? A He left his family, his children, and went to get a job of work and never did return. We suppose he's dead.
Q Where was he living at the time he started to get work?
A He went from Clarksville, Creek Nation, and went to Muskogee, and he never has been heard of since.
Q When was the last time you saw him? A Its some five or six years ago.
Q When was the last time you heard from him? A The last time I heard--his children told me was I guess two years ago this Fall, three years next Summer.
Q Did you hear from him at that time? A Yes sir.
Q Did you appear before the Commission in Muskogee and establish, to the satisfaction of the Commissioner, that your brother, David V. Ghormley, was living on September 1, 1902? A I did, and on that evidence they placed him on the roll.
Q And you have not heard from or of him since? A No sir.
Q Have you been appointed guardian for his children? A No sir.
Q Is it your intention to be appointed guardian? A Yes sir.
Q Where is the land that you desire to select for your brother and his child William? A Part of it is in Township 26, Range 14, Section 9, part of it in Township 27, Range 17, Section 32, part of it in Township 26, Range 14, Section 31, and part of it in Township 27, Range 14, Section 29--out of this I want to get two allotments. The land is unoccupied, not taken up.
Q Do you mean that there are no improvements on it? A The most of it there isn't; in one place there are improvements on it but the man has taken up all his allotments and I reckon I can file on it.

--2--

Q The balance is public domain, is it? A Yes sir, public domain.
Q Willtam is living, is he? A Yes sir.
Q Is he living with you? A He was living with me until the
other day when he ran off but he will be living with me as soon
as I can go after him and get him back.
Q You have entire charge of him, noone else is looking after his
welfare? A Yes sir, I have entire charge of him.

Ira S. Niles, being duly sworn, states that as stenogra-
pher to the Commissioner to the Five Civilized Tribes he correctly
recorded the testimony in this case and that the above and fore-
going is a true and complete transcript of his stenographic notes.


Subscribed and sworn to before me this
the 18th day of December, 1905.


Notary Public.

Muskogee, Indian Territory, March 4, 1902.

Mr. Michael O. Ghormley,
Tahlequah, Indian Territory.

Sir:

Upon an examination had in the matter of the application made by yourself for your brother David V. Ghormley, and his two children, it is found that you have failed to give satisfactory proof of his whereabouts, if living. The proof above desired is also applicable to his two children. You are also requested to produce documentary evidence of David V. Ghormley's marriage.

You are requested to appear in person before the Commission in the forenoon of the 20th day of March, 1902, and at that time furnish such proof, as in the opinion of the Commission will be necessary to establish the right to enrollment of your brother and his two children.

You are reminded that a prompt compliance with this request will result in an expeditious consideration of the within case.

Yours truly,

Commissioner in Charge.

In answering refer to
O. D. No 1016.
Register.

MAP 1 1905

Mulebroun P. 3.

Sept - 12. 1905,

Mr. Mike Gheemly.

Dear Cousin your Bro
David Stain with us last
night, gave us your Address
and sayed you could give us
information concerning the
land about Jahleguak, we want
to rent ~~an~~ a place where
we can have good water as
well as good land, & we are
told that - there is the place
to find it, now having
a time here with fever and
chills. my Brother Newt
will is living here also,
and they are down sick
with fever, and we all,

+ feeling anxious to get away
from Middlebury, if you
think there is a chance for
us to rent my husband's
Mr Stone will come up before
long and look around, he
a Brother has charge of the
Webber Falls Circuit, we have
three Boys about grown,
my Brother wants a place
he has two grown sons and
two more nearly grown,
your Brother David has been
in the bottom three months
was out a month, started
for home this morning,
Mother Will & Aunt Jane
& Edwards are in very good
health, your cousin Rachel
Will, Stone, P. D. please write to us

MAP 1 1905

COPIED

Muldoon, N.Y.

Sept 17. 1908

Mr. H. A. Sherman

Your kind and your
highly appreciated letter to hand,
contents noted. I am told that
your Brother David has been in
the bottom since last spring
till the day before I wrote to
you. He says he lives 20 miles
North of Wagoner, at Clarksville
he left here walking says he
wanted to board a freight - as far
as Wagoner and then would
have to foot it across the County
line. Says he has two children
were with their kinfolks,
he also says he was going to
Liquor some to have them

I would be pleased to come
with my husband dont know
yet how it will be.

I will write again and let
you know when he will be
there. I sincerely hope you
will be able to locate David
Mr Stone invited him to stay
a week but he wouldnt stay
your Cousin.

Rachel, Stone.

COP

Cherokee D-1016.

Muskogee, Indian Territory, June 21, 1905.

W. V. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of an order of the Commission to the Five Civilized Tribes, dated June 21, 1905, transferring the enrollment of David V. Ghormley, et al., from Cherokee enrollment card No. D 1016 to a straight card.

Respectfully,

Incl. 3-16.

Wm. H. Hasty
Chairman.





M. A. K. K. K. K. K.

Y. K. K. K. K.

1871

of the school for
the 15th day of
the month of

SEP

12 M

Mr.

Mr. J. H. H. H.

1. H. H. H.

Cher 10910

Nakie Nitts

Cher 10910

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
NAKIR NITTS
as a citizen by blood of the Cherokee Nation.

CHEROKEE D 1441

Notary Public.

I, the undersigned, Notary Public, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of [] State of []

Witness my hand and seal at the City of [] this [] day of [] 19[]

JUL 10 1908

Attest my hand and seal at the City of [] this [] day of [] 19[]

Notary Public, [] State of []

R
Cher L. 1441.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of JAMES BULLETT, ET AL.,
for enrollment as citizens of the Cherokee Nation:

EMMET STARR, being duly sworn and examined by the Commission,
testified as follows:

- Q What is your name ? A Emmet Starr.
Q What is your age ? A Thirty one years.
Q What is your post office address ? A Claremore, I. T.
Q Are you a citizen by blood of the Cherokee Nation ?
A Yes sir, I am.
Q For whom do you desire to make application for enrollment ?
A For the following named persons on the 1896 Cherokee roll,
their families and descendants:

Q Are there any other persons for whom you desire to make appli-
cation for enrollment ?

A I desire to apply for the following named persons on the 1896
Cherokee roll, their families and their descendants:

 Mable Nitta, on 1896 Roll, page, 38, #1051, Canadian District.

Note: "P. O. Webbers Falls. Lives with Wilson Girty;" also on 1896
Roll, page, 4, #1489, Canadian District.

A. C. Bagwell, on oath states that, as stenographer to the
Commission to the Five Civilized Tribes, he correctly recorded the
testimony and proceedings had in the above entitled cause, and that
the foregoing is an accurate transcript of his stenographic notes
thereof.

Subscribed and sworn to before me this 16 day of July, 1902.

[Signature]
Notary Public.

FILED
MAY 11 1905
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE ENROLLMENT FIELD PARTY.
9 MILES SOUTH OF WEBBERS FALLS, I. T.
APRIL 28, 1905.

SUPPLEMENTAL PROCEEDINGS had in the matter of the application for the enrollment of NAKIE NITTS as a citizen by blood of the Cherokee Nation.

WILLIS J. GILLESPIE, Special Agent in Charge, Cherokee Nation, vs. JAMES H. GILLESPIE, Special Agent in Charge, Cherokee Nation.

BY THE COURT:

- Q What is your name? A Wilson Gattie.
- Q What is your age? A 57.
- Q What is your post office address? A Webbers Falls, I. T.
- Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
- Q How long have you lived in Canadian District? A Born and raised right here.
- Q Were you once acquainted with a woman by the name of Nake Nitts in this District? A Yes sir.
- Q What was the name of her father? A I don't know his name.
- Q What was the name of her mother? A I don't know her name.
- Q How long have you been acquainted with Nake Nitts? A About 35 years.
- Q Is Nake Nitts living? A No sir, she is dead.
- Q How long has she been dead? A She died sometime along in this last March; I can't give the exact date of her death.
- Q She died in March, 1905? A Yes sir.
- Q Was Nake Nitts a citizen by blood of the Cherokee Nation? A Yes sir.
- Q Did she have any other blood than Cherokee blood? A I don't know.
- Q Was she a full blood, regarded as a full blood? A Yes sir.
- Q Did she live from your first acquaintance with her up to the date of her death in the Cherokee Nation? A Yes sir.
- Q Did she ever live outside of the Cherokee Nation? A No sir.
- Q In what District was she living when the 1896 Census Roll was made? A Right here in Canadian District.
- Q Did Nake Nitts ever go by any other name? A No sir.
- Q Did she ever marry? A Yes sir, she lived with Ice Nitts.
- Q Nitts then was her married name was it? A Yes sir.
- Q Is Ice Nitts living? A No sir he is dead.
- Q How long has he been dead? A I can't give the exact date but I think it has been 3 or 4 years ago.
- Q Has Nake Nitts ever had any children? A No sir.
- Q With whom was she living when she died about two months ago? A She was living with Akie Skimmer.
- Q Who is the nearest relative to Nake Nitts? A The only one I know of is John Kettle.
- Q Where does John Kettle live? A Over in Illinois District.
- Q What is his post office address? A His home is out south of here, he is just over town but his eyes are cotted.
- Q What is his post office address? A Briartown, I. T., I think.
- Q Is John Kettle a citizen by blood of the Cherokee Nation? A Yes.
- Q Do you know whether or not Nake Nitts ever made application to the Dawes Commission for enrollment as a citizen of the Cherokee Nation? A I do not.

- Q About how old was Wakie Nitts to the best of your information at the time of her death? A I can't say just what her age is.
- Q Did she look to be older or younger than you? A That would be hard for me to tell, she may be older than me or not so old.
- Q Was she the only person by the name of Wakie Nitts you ever knew in this District? A Yes sir.

The applicant is identified on the 1880 Cherokee Tribal Roll, Canadian District, No. 1051, and is listed for enrollment from information on Cherokee D-1441, and on the 1896 Census Roll, Canadian District, No. 1489.

JOHN TONEY, being first duly sworn, testified as follows, through interpreter, JAMES MUSKRAT.

BY THE COMMISSION:

- Q What is your name? A John Toney.
- Q What is your age? A 45 or 46 years old.
- Q What is your post office address? A Gritts, I. T.
- Q Are you a citizen by blood of the Cherokee Nation? A Yessir, I am a full blood.
- Q How long have you lived in Canadian District? A Born and raised here.
- Q Were you ever acquainted with a woman in Canadian District by the name of Wakie Nitts? A Yes sir.
- Q Was she a citizen by blood of the Cherokee Nation? A Yes sir, she was a full blood Cherokee.
- Q What was the name of her father? A I don't know, I wasn't acquainted with him.
- Q What was the name of her mother? A I don't know, I wasn't acquainted with her, I guess her father and mother have been dead a good many years.
- Q Is Wakie Nitts living? A No sir.
- Q How long has she been dead? A I don't know but I think she died about the last days of February.
- Q Do you remember the exact date of her death? A No sir, I just couldn't tell the exact date.
- Q How long have you known Wakie Nitts? A It has been about 20 or 30 years ago since I got acquainted with her, something like that.
- Q Was she living in Canadian District when the 1880 Roll was made? A Yes sir.
- Q Was she living in this District when the 1896 Census Roll was made? A Yes sir she was living out here by Briartown.
- Q Since you first became acquainted with her has she ever made her home outside of the Cherokee Nation? A No sir, I don't think she has.
- Q Was Wakie Nitts married? A Yes sir when I got acquainted with her and also Ice Nitts, they were living together as man and wife.
- Q Is Ice Nitts dead or living? A He is dead.
- Q Was she ever married to anybody else? A No sir, not that I know of.
- Q Did she have any children? A No sir.
- Q With whom was she making her home at the time of her death? A She made her home at different places but when she died she was staying with Akie Skinner.
- Q About how old was she at the time of her death? A I don't know but I would guess she was about 50 or 60 maybe older.
- Q Who is her nearest heir? A That is impossible for me to tell for I don't know.

TOM SUNDAY, being first duly sworn, testified as follows:

BY THE COMMISSION:

- Q What is your name? A Tom Sunday.
Q What is your age? A 46.
Q What is your post office address? A Porum, I. T.
Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
Q Full blood? A Yes sir.
Q Were you once acquainted with a woman in Canadian District by the name of Nokie Nitts? A Yes sir.
Q Was she a citizen by blood of the Cherokee nation? A Yes sir.
Q What amount of Cherokee blood did she have? A Full blood.
Q In what District was she living in 1880? A Canadian District.
Q In what District was she living in 1896? A Canadian District.
Q Do you know the name of her father? A I knew his name but have forgotten it.
Q Did you know the name of her mother? A No sir, never learned it.
Q How long have you known her? A 20 or 25 years.
Q From the time you first got acquainted with her in the Cherokee Nation up until the time of her death, did she live continuously in the Cherokee nation? A Yes sir.
Q Was she ever married? A Yes sir, her husband was named Ice Nitts.
Q Is he dead? A Yes sir.
Q How long has he been dead? A About 4 years.
Q Did she and Ice Nitts have any children? A No sir.
Q How long has Nokie Nitts been dead, about two months? A Yes sir.
Q Were you personally acquainted with her? A Yes sir.
Q Did she sometimes visit your home? A Yes sir.
Q In what month did she die of this year? A In March, 1905.
Q Do you know whether or not she ever made application to the Dawes Commission for enrollment as a citizen of the Cherokee nation? A No sir, I do not.
Q About how old was she when she died? A Must have been about 45 or 50.
Q Was she ever married to anybody except Ice Nitts? A No sir.
Q Was her rights as a citizen by blood of the Cherokee nation ever questioned? A No sir.

-----oOo-----
George H. Lessley, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

George H. Lessley

Subscribed and sworn to before me this 10th day of May, 1905.

Myron White
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.
Tahlequah, I. T., May 19, 1905.

In the matter of the application for the enrollment of Nakie Nitts as a Cherokee by blood. No. Cherokee D-1441.

KATIE McCLURE, being duly sworn and examined by the Commission, testified as follows:---

- Q What is your name? A Katie McClure.
Q How old are you? A I can't exactly tell you how old I am. 53, maybe, or 4.
Q What is your post-office? A Texanna.
Q You are a Cherokee by blood? A Yes sir.
Q Do you know a woman named Nakie Nitts? A Yes sir.
Q Was she a Cherokee by blood? A Yes sir. She was a full-blood.
Q You state she is dead? A Yes sir.
Q When did she die? A I can't tell you what month she died. She died last Fall sometime.
Q That's the Fall of 1904? A Yes sir.
Q Was she related to you? A No sir. She wasn't any relation to me. I'm working for another girl. I am working for my niece.
Q How long did Nakie Nitts live in the ~~Imxitany~~ Cherokee Nation? A All her life.
Q Did she ever make her home anywhere else? A No sir. Only in time of the war, she run off to the South.
Q How long have you known Nakie Nitts? A I have been knowing her for a good many years.
Q All of her life? A Not all of her life. I have been knowing her ever since 7 or 8.
Q Was that before or after she came back from down South?
A After she came back.
Q Was she always recognized as a Cherokee by blood? A Yes sir.
Q Do you know where she was living in 1896, about 9 years ago?
A She just lived right there where she died, and right at the mouth of Canadian.
Q That's in Canadian District? A Yes sir. Right in Canadian where they call Starvilla and Briartown.
Q Was she ever known by any other name besides Nakie Nitts?
A I don't know what she was called before she was married. Maybe it was Griffin. When I first got acquainted with her she was living with a man named Ice ~~ix~~ Nitts.
Q Do you know the name of her father? A I can't tell you that, but her cousin was named Georgia Griffin. That's a daughter of the woman I am working for, Georgia Griffin.
Q Do you know the name of the mother of Nakie Nitts? A No sir, I can't tell you that.
Q Was Nakie Nitts a fullblood Cherokee? A Yes sir.
Q She always drew money and was recognized as a Cherokee by blood? A Yes sir.

JOR

-2-

Allotment D-1441.

BY THE COMMISSION:


Nakie Nitts is identified upon the 1880 roll No. 1051, Canadian District, and upon the 1896 roll, Page 54, No. 1489, Canadian District.

Q Was Nakie Nitts a "Night Hawk"? A. I believe she was.

Joe Chambers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony in this case, and that the above and foregoing is a true and complete copy of his stenographic notes.


Notary Public.

Subscribed and sworn to before me this 9th day of June, 1905.


Notary Public.

JC

10910

32

IN RE
THE DEATH OF

Naxie Nettles

a citizen of the

Cherokee

Nation.

Approved *May 19* 1905

[Signature]
Commissioner.

FILED

May 19, 1905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of *Nakis Hitter*
(Here insert name of deceased.)
a citizen of the *Cherokee* Nation, who formerly resided at or near
Stumilla Ind. Ter., and died on the *19* in *fall* of
(Here insert name of postoffice.)
1904

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern DISTRICT.

I, *Nakis Hitter*, on oath state that I am *33* years of age and a citizen, by *blood*, of the *Cherokee* Nation; that my postoffice address is *Lexiana*, Ind. Ter.; that I am a *Neighbor* of *Nakis Hitter* (State relationship as the father, an uncle, a cousin, etc.) (Here insert name of deceased.) who was a citizen, by *blood*, of the *Cherokee* Nation and that said *Nakis Hitter* died on the *19* in *fall* of *1904*.
(Here insert name of deceased.)

WITNESSES TO MARK:

(Must Be Two Witnesses)

Subscribed and sworn to before me this

19

day of

*May*190*5*.

Notary Public.

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA, INDIAN TERRITORY,
DISTRICT.

I, _____, on oath state that I am _____ years of age, and a citizen by _____ of the _____ Nation; that my postoffice address is _____, Ind. Ter.; (Here insert name of postoffice.) that I was personally acquainted with _____ (Here insert name of deceased.) who was a citizen, by _____, of the _____ Nation; and that said _____ died on the _____ day of _____ (Here insert name of deceased.)

WITNESSES TO MARK:

(Must Be Two Witnesses)

Subscribed and sworn to before me this

day of

190

Notary Public.

1900 114

THE UNIVERSITY OF CHICAGO

[illegible]

who is married under the 1906 authenticated Cherokee roll and also was on the 1896 Cherokee roll, is full blood Indian and his wife is definitely in the Cherokee Nation rolls up to 1911. She died April 1, 1932.

you are not to use for 1941, but referred to a "here-
after" order.

— 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592,

JUN 21 1905

COPY.

Cherokee D-1441

Muskogee, Indian Territory, August 4, 1908.

Mrs. Makie Witta,

Care of Wilson Girty,

Webbers Falls, Indian Territory.

Dear Madam:

You are hereby informed that you have been listed for enrollment by this Commission as a citizen of the Cherokee Nation from information. Further testimony is required in order to complete your enrollment, and you will be allowed fifteen days from date hereof in which to offer testimony in support of your right as a citizen of the Cherokee Nation.

Yours truly,

Tamm Diney

Acting Chairman.

Enc. R.P.

Cherokee D-1441

Muskogee, Indian Territory, August 18, 1902.

Nakie Nitts,

Webbers Falls, Indian Territory,

Dear Madam:

The Commission is in receipt of your letter of August 11, relative to your right to enrollment as a citizen of the Cherokee Nation.

In reply, you are advised that if you desire to have your name placed upon the roll of citizens of the Cherokee Nation now being prepared by this Commission, it will be necessary that you appear in person before this Commission at its offices in Muskogee, on some day prior to September 1, 1902, for examination under oath.

You are requested to give this matter your earliest attention as the Commission can not properly pass upon your right to enrollment until you have made personal application.

Yours truly,

Acting Chairman.

MAILED
TO MAIL ROOMS
BY MAIL ROOMS
W. E. STANLEY

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF THE BUREAU OF LANDS

Cher. D-1441.

ADAM L. AYLESWORTH
REGISTER

Tahlequah, Indian Territory, November 4th, 1903.

Hakie Nitts,

Webbers Falls, Indian Territory.

Dear Madam:-

The Commission wrote you on August 18, 1902, in reply to your letter of August 11, 1902, advising you that if you desired to have your name placed on the final roll of citizens of the Cherokee Nation now being prepared by this Commission it would be necessary for you to appear in person for examination as to your right to enrollment. It does not appear that you have yet presented yourself to the Commission for examination and you are urged to give the matter your immediate attention.

Respectfully,

C. R. Hickman

Commissioner in Charge
Cherokee Land Office.

JOC.

COMMISSIONERS
TAMM DIXIE,
THOMAS B. NEEDLES,
C. B. BRICKNBRIDGE.

WM. O. BRALL,
Secretary

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

ENTER IN REPLY TO THE FOLLOWING

Cherokee D-1441.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 21, 1905.

William Girty,

Webbers Falls, Indian Territory.

Dear Sir:

Application has been made to this Commission for the enrollment of one Nakie Hitts, as a citizen of the Cherokee Nation, her name appearing upon the 1880 Authenticated Cherokee Roll as a resident of Canadian District.

In a note opposite her name is a statement to the effect that she resides with you.

If you have knowledge relative to the whereabouts of the said Nakie Hitts, kindly inform the Commission of the same at the earliest possible date.

An envelope for reply is enclosed herewith.

Respectfully,

Enc. Env.

Chairman.

COPY

June 21, 1908.

W. W. Hastings, June 21, 1908.

W. W. Hastings,

Attorney for the Cherokee Nation,

Wickliffe, Indian Territory.

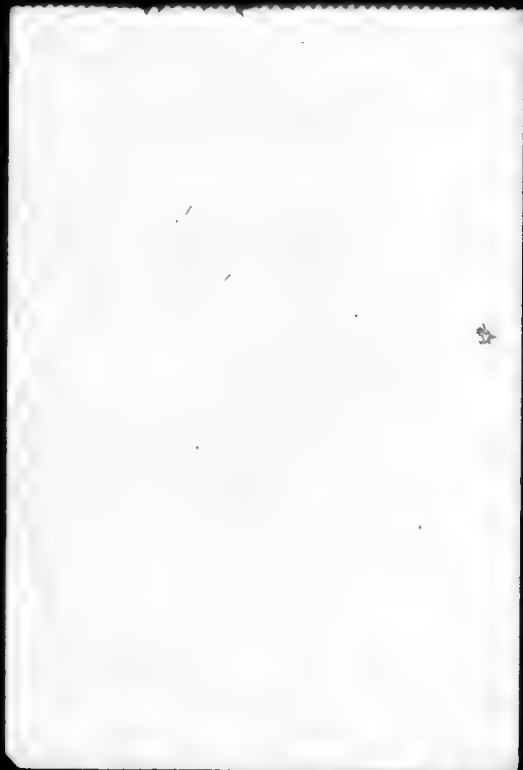
Dear Sir:

There is herewith sent a copy of an order of the
Commission to the Civil Service, dated June 21, 1908,
referring the enrollment of Marie Witta from Cherokee enroll-
ment card No. D 1411 to the Civil Service.

Respectfully,

Incl. S-35.

Yours truly,
James Dixby,
Chairman.





Department of the Interior

Commission to the Five Civilized Tribes

MUSKOGEE, IND. TER.





Cherokee Land Office

Washington

Advised to appear at Land Office
to have name placed on final rolls
of citizens of Cherokee Nation.

Unclaimed.

McClain

Nakle Nitts,

Webbers Falls, Indian Territory.



BUCKY

Department of the Interior

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in securing land.

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Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

RETURN
TO
WRITER

Unclaimed.

Nakie Nitts,

Webbers Falls, Indian Territory.

RETURN
TO
WRITER

END

OF

ROLL

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